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A
DISCOURSE

(Seasonable at this TIME)

Concerning the

L A W S,
Ecclesiastical and Civil,

MADE AGAINST

HERETICKS,

BY

POPES, EMPERORS and KINGS,
Provincial and General Councils, approved
by the Church of *Rome*:

S H E W I N G

- I. What PROTESTANT SUBJECTS may expect
to suffer under a POPISH PRINCE acting accord-
ing to those Laws.
- II. That no OATH or PROMISE of such a
PRINCE can give them any just Security that he
will not execute these Laws upon them.

W I T H

A PREFACE against Persecuting and De-
stroying HERETICKS.

By a CORDIAL FRIEND to the PROTESTANT RELI-
GION now by Law established in these Realms.

Now Re-published with an INTRODUCTION.

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T H E
P U B L I S H E R.



THOUGH *Popery*, as improv'd in the darker Ages, must appear to every sensible Man, a prodigious Heap of Absurdities, Irrational, Unscriptural, Incredible; yet however, if the Professors of that Faith among us, would be content to believe it, without a Principle and continued Practice of all fraudulent and forcible Means for the Propagation of it, we should rather pity them, than do any harm to them. Their fulness of Persuasion, without the Spirit of Mischief and Persecution, might be treated with a great deal of Allowance and Christian Forbearance: For surely, the deluded in Religion should be dealt with, like others disturbed in their Understanding and Senses; while they are quiet and inoffensive, they ought to be tenderly us'd in their deplorable way; not bound or roughly manag'd, 'till they begin to threaten Wrath and Violence; then indeed they ought to be restrained and secured from insulting others.

If a Member of the *Roman* Church can roundly believe, that a little Wafer of Past, is a real Body of Flesh and Blood, and lets it so rest upon his own Imagination, without affecting my Liberty of seeing and believing the contrary ; I should only wonder at him, and endeavour to convince him ; and that failing, I would use no violence with him, I would leave him to the Grace and Mercy of God : Nay, if in the same Credulity and superstitious Conceit, he will worship what he eats, and what he cannot but know was made with Hands, and will call it Zeal and true Devotion ; I should wonder more, and have somewhat more of Indignation at him ; yet still, if he let me and others enjoy our reasonable Service of God, I would have patience to argue with him, and tho' I must in my own Conscience account him an Idolater, yet if I could not convert him, I would only pray for him. But when such a Believer, suppose of Transubstantiation, will by force make me believe the same, or profess such Belief whether I will or no, or upon my not being able to believe, or willing to dissemble, will call me Heretick, and set his Church upon me, to pursue me to the last extremities, of suffering in my Liberty and Goods, and Life it self ; Surely I must look about me, and consult my own Preservation, and call in the Protection of Government and Laws in my behalf. Especially if that worshipper of a piece of Bread must think himself oblig'd to set up the same Idol for me to worship, and if I will not fall down and adore it, I shall be sacrificed to it, burnt alive.

alive. This creates in me the abhorrence of such a Religion, in the Reign whereof I cannot live in Peace and Safety.

As to their Spiritual Censures, were they merely Spiritual, they would not break my Rest. Let them Excommunicate me, Curse me, and pretend to shut the Gate of Heaven against me ; yet if this would not reach me in any temporal Capacity, I would despise the Thunder, and sit down and enjoy my own Conscience ; but when the Sentence, pretended to be Spiritual, must and will have the outward effects of Confiscation, Imprisonment, Tortures and Death ; it is then that the cruel Consequences beget a Terrour and Abhorrence of that Communion, wherein I must not only bear the load of Damnation, as far as in their power to cast it on me ; but I must first suffer Ruin and Destruction in this World, nay and possibly my dead Body should not be allowed a Christian Burial, or at least not be permitted to rest long in the Grave : For it seems by the Discipline of that Church, the Corps of the Heretick is to be taken up and expos'd, and consum'd to Ashes, and those to be cast into the Air, or upon the face of the Waters.

Nay if the Papists, however violent in their Authority and Powers abroad, could learn here to be in legal Subjection, and would give the like Security with other Subjects for their Faith and Allegiance to the Prince and Constitution, and freely renounce all foreign Jurisdiction and Dependence, and live in Peace and Charity with us their Neighbours, enjoying their own

Ease, and supporting the Publick Good : I say their bare Religion (if it could be divested of Disloyalty and Cruelty) should not debar them of the common Rights and equal Protection of every free Subject of this Kingdom. But if ever since our happy Reformation, the Spirit of Popery has been striving with it, and must for ever oppose it, if the devout Papist cannot here possibly be the good Subject ; if the acting sincerely according to his Church Principles, must tend, of necessity, to endanger the Government, and to bring about, if possible, a total Subversion of it : Surely against such Men our Rulers are ordain'd, and by all the ties of Honour and Conscience, are oblig'd to seek and secure the common Safety, and keep within bounds the common Adversary ; or otherwise they give up the Constitution, and betray the sacred Trust committed to them.

And this really is the right view wherein Popery ought to be taken, in this Church and Nation, by the King and People. As Christians and Followers in the way of Salvation, we must needs be offended with that intolerable mass of Errors and Corruptions, of Superstitions and Idolatry that has crept into their Creeds and Councils, and obtain'd an Authority which they call Infallible ; but however, as Subjects and Neighbours, we are chiefly concern'd to behold Popery in its Discipline and necessary Practice, in its Dominion and Tyranny, over the Rights, Liberties and Lives of Mankind.

And in truth, Popish Recusancy has been always taken in this View by our Legislative Powers.

ers. No Penal Laws have been enacted against such Recusants, on account of their bare Faith and Opinions; however opposite to Scripture and common Sense; but on the Score of their Disaffection and Disobedience to the establish'd Government, and their continual practising to overthrow it. It appears so in all the Laws that have been made against them, since the Accession of Queen *Elizabeth*. The Act of Supremacy 1 *Eliz.* was for putting away all usurped and foreign Powers and Authorities, and for disburthening Subjects of divers great and intolerable Charges and Exactions — i. e. not to meddle with speculative Tenets; but to secure the Nation from Popish Tyranny and Oppression. The next Penal Law against Popish Recusants, was in 5 *Eliz.* cap. 1. not at all for matters of meer Faith; but of dangerous practice only, even because of the Dangers by the Fautors of the usurped Power of the See of Rome, at this time grown to marvellous outrage and licentious boldness, and now requiring more sharp Restraint and Correction of Laws, than hitherto in the time of the Queen's Majesties most mild and merciful Reign hath been, had, used or established. The next Penal Law was against the same Men, for being the same Adversaries to the publick Peace and Interest. 13 *Eliz.* cap. 11. for self defence and preservation of the Government in Church and State, because divers seditious and evil disposed People — were minding very seditiously and unnaturally, not only to bring this Realm into Thralldom and Subjection to the See of Rome; but also to estrange and alienate the Minds and
Hearts

Hearts of sundry of her Majesty's Subjects, from their dutiful Obedience, and to raise and stir Sedition and Rebellion within this Realm ——— to the Disturbance of the most happy Peace thereof. And so in all the other wholesome Laws and Statutes of that long and glorious Reign, the Restraints and Penalties were for the unruly and disobedient, for the Conspirator and Traitor. And when some Priests and Jesuits, and their bigotted Pupils, guilty of such Conspiracy and Treason, would have assum'd the Glory of suffering for their Faith and Religion: The honestest and wisest Statesman of that Reign, the Lord Cecil wrote and publish'd a Proof and Demonstration, that their *Execution* was not for *Religion*, but for *Treason* only. So in like manner all subsequent Laws for restraining and disabling the Papists, were not on the Religious, but on the Political and Civil Account, down to the last of them, for a *Register of their Estates*, thereby to make them responsible to the Government in their *Known Avow'd Civil Enmity*.

If amidst the late Popish Persecutions abroad, the like Reasons could be now given, that all that Severity against the Reform'd in any Country, was for their being attach'd to some foreign Interest and Power, and for their continual Attempts upon the present State, towards bringing in that Foreign Power; or otherwise they should never have been touched in their Estates or Persons, upon any Account of their Faith and Worship: I think there would be an End of all the complaints of Persecution. But they are intitled to our Compassion, and if possible to our Assistance
and

and Redress ; because they were there at no enmity with the Civil Powers, they were peaceable and faithful in the Land ; no Principles of Disloyalty, no insolent Behaviour, no Liberty, but that of Conscience, to which they had a Claim and Title, not only by the Laws of Nature and the Gospel, but by the Constitution they liv'd under, by express Treaties and Compact. The *French* Protestants had a Right to Protection by Royal Edicts, and were so far from suffering for their Disaffection and Disservice to the King and Kingdom, that upon Principle and Way of Life, they had been the most Loyal, and the most useful Subjects.

Our Papists in *England* make terrible Complaints, that they are treated more severely than the wildest Sectaries among us ; but in truth, the proceedings against all manner of Sectaries and Separatists, was upon the same Foundation with those against Popish Recusants. The Government was to judge when in safety to indulge them, and when in danger to reclaim them. Pure Conscience was never to be forc'd, and Sedition never to be tolerated.

This was the healing Principle, upon which K. Ch. II. was restor'd : Upon the first View of his Return, he wisely *Declar'd* in writing, a Liberty to tender Consciences, and that no Man should be disquieted, or called in Question for differences of Opinion in matters of Religion, which do not disturb the Peace of the Kingdom. And that he would be ready to consent to such an Act of Parliament, as upon mature Deliberation should be offered to him, for granting
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that Indulgence *. This his Majesty repeated in another *Declaration concerning Ecclesiastical Affairs*, 25 Octob. 1660. And his first Proclamation prohibiting all unlawful and seditious Conventicles, under pretence of Religious Worship. 10 Jan. 1660-1. was not till after the desperate Insurrection of Fenner and his Crew, in the Name of the Lord.

This was the Judgment of the Lord Keeper Finch: In the Name of the King, he told the two Houses, April 13. 1675. *When we consider Religion in Parliament, we are suppos'd to consider it as a Parliament should do, and as Parliaments in all Ages have done, that is, as it is a Part of our Laws, a Part, and a necessary Part of our Government: For as it works upon the Conscience, as it is an inward Principle of the divine Life, by which good Men do govern all their Actions, the State hath nothing to do with it; 'tis a thing which belongs to another kind of Commission, than that by which we sit here.* — This sense and explication of Liberty of Conscience in pure Religion, was consistent with all the Penal Laws against Popery, and the punctual Execution of them. And therefore, he told them in the same Breath, *That his Majesty considering Religion as Protestant, and as it stands in opposition to Popery, upon this Account he had awakned all the Laws against the Papists. There is not one Statute extant in all our Volume of Laws, but his Majesty hath now put it in the way of taking its full Course against them. And upon this Account also it is, that in a League lately renew-*
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* Declaration from Breda, April 14. 1660.

ed with a Protestant Crown, his Majesty hath made it one Article of that League, that there shall be a mutual Defence of the Protestant Religion.

So little Reason have the Papists to complain of Persecution, that some Penal Laws have been no less severe against our fellow Protestants, when they have incur'd the like Suspicion of being Enemies to the Government. Their Principles were less criminal, and possibly their Attempts and Designs less dangerous. However, when they appear'd to the Legislature to be disturbers of the publick Peace, the Law soon provided against their restless and seditious Behaviour, and the Perils and Troubles they created to the Government, at such a Juncture as justified that new Severity upon them. So expressly in the first *Act to suppress and prevent seditious Conventicles*. It was for providing further and more speedy Remedies against the growing and dangerous Practice of seditious Sectaries and other disloyal Persons, who under pretence of tender Consciences, do at their Meetings contrive Insurrections, as late Experience hath shewed. And so in the next Penal *Act for restraining Nonconformists from inhabiting in Corporations*; it was because the Teachers had taken upon them to preach in unlawful Assemblies, Conventicles or Meetings, thereby taking an Opportunity to distil the poisonous Principles of Schism and Rebellion into the Hearts of his Majesty's Subjects, to the great danger of the Church and Kingdom.

Surely the Articles of Popery, as to Profession and command of Belief, are infinitely more absurd

furd and shocking, than the singular Tenets of any other way of Separation ; yet in the Eye of the Legislature they are the same ; that is, neither of them are considered as to the Truth or Falshood of them ; but as they have visibly tended to instigate the Professors of them, to an opposition and insult of the Government by Law establish'd.

Upon the happy Revolution, the Protestant Dissenters had their Liberty of Conscience reasonably owing to their good Affection to the legal Settlement, and may they long enjoy it upon that Title. Nay, were it possible for the *English* Papists to be as firmly united to the common Interest of their Country, and to be as utterly averse to all foreign Pretensions of usurping upon the Rights of King and People, I dare say, they would be protected, they would be indemnified, the Legislature would not enact, the Administration would hardly inflict any Punishment upon them, purely for their Conscience and Religion, however erroneous, while they live in Charity and Peace and due Allegiance.

But such is the Complexion of *English* Popery under a foreign Head and *Roman* Priesthood, and an Alien *Pretender*, that they who would believe and follow the Obligations of Conscience, cannot be well affected, cannot be faithful to our Legal Constitution. They are alienated from a natural Allegiance : They are engag'd to refuse Oaths of Subjection, or if they take them by constraint, they must seek Evasions, or sue for a Dispensation, or an Absolution in their holy Way : They must endeavour to introduce their
own

own Religion: They must be always attempting to extirpate our Northern Heresie.

This has made every Protestant Reign since the Reformation, continually plagu'd and push'd at by Popish Plots and Conspiracies. And we are now more expos'd to a fatal Necessity of 'em, than in former Reigns: For down to the Deliverance brought by King *William*, they commonly agreed with us in the Right and Title of the civil Sovereign; they only contended for an Ecclesiastical Supremacy abroad, a Right of the Pope in Spirituals, or at highest in order to them; whereas of late they have brought forth the two Swords, a pretended temporal Right of Sovereignty, as well as an Ecclesiastical Supremacy; and they are bound with those double Chains, to be two-fold more our Adversaries, and to seek all Opportunities of restoring their Prince and their holy Father. Especially when the One has been the continual Guardian of the other, has taken him into his Court and his very Bosom, for a Place of Refuge, and seems to promise to recommend him with his last Breath.

And yet it seems these Men, if they are restrain'd from doing Mischief, are the most ready to complain of suffering Persecution. It affords indeed this standing Argument against Persecution, that the greatest Persecutors, when it comes to their own turn to suffer, will grievously complain of it; and will impute their Suffering to Conscience and Religion, tho' it was altogether for Faction and Rebellion. As if they, happy Men, had a Right to persecute others unto death, for what they acknowledge to be matters of Faith

Faith only; and yet must be themselves exempted from every the least sort of suffering for matters of Fact and Practice, for combining to distress us and betray us, to weaken and subvert the Government, that allows them Property and Protection.

Surely they owe their hopes of Success, not so much to their own Strength, as to the infatuation of many who are call'd Protestants. Strange Infatuation! It has shewn it self in many Shapes, but certainly it makes the most monstrous Figure, when Protestants act the Popish part, and push on the Intrigues and Interests of the See of *Rome*, and the Pretender's Court. Tools in the Hands of others, to deface and destroy their own Church and Country, without once considering that when the Workmen come for their Wages, the Tools will be laid aside; or the utmost Indulgence given to them, will be to receive them as penitent Profelytes to the Church of *Rome*, and let them there enjoy their Love of rigid Principles and loose Lives.

In the Popish Plots and Conspiracies against us, nothing can be more provoking, than to justify them and sanctify them if they do succeed, and if they fail, to deny them, and ridicule 'em. It would make a long History, to go into a Proof of these their Arts. Two short Instances arise in the *Gun-Powder Treason* and *Irish Massacre*, the first was discover'd and prevented, the last had its terrible Effect. Why therefore, at this very Juncture of time, the Popish Writers wipe away the one, and seem to glory in the other. The Writer of the late *View of English History*, has again with

a new Face, cast the Powder-Plot upon the Lord *Cecil*, and pretends it was projected by him for the Reign of Queen *Elizabeth*, tho' not executed till the beginning of King *James*, when his Lordship drew in a few Catholicks to burn their Fingers in it. And what is somewhat more to be admir'd, the *Irish Massacre* executed in 1641, with such a vast Effusion of Blood, not capable of denial, has been within a few Days so softened and extenuated, that one would think it justified by the late Prefacer to the *Memoirs of the Earl of Clanricard*. Surely such Books were calculated for an expected Season of Conspiracy and Murder.

This makes the publication of this Treatise the more opportune and useful. The learned Author drew it up, after a full Conviction of the truth of a Popish Plot, and amidst the terrible Views of a Popish Successor in 1682. About which time, our Bishops and Divines had in a good Number of immortal Tracts, confuted every Doctrine and false Position of Popery; and to shew their Practices more abominable, it was committed to this able Man to open the Scene of Tyranny and Cruelty towards those they called Hereticks, and to shew that all the dire Penalties of Loss and Pain in Life and Death, were enjoined by their General Councils, were required and exacted by their Popes and Church Officers, were put in Execution by Princes and People of that Communion, whenever they had Strength and Time for it. And from hence he form'd in the Preface, what he rightly terms *A sensible Demonstration of the Falshood of the Religion of the Church*

Church of Rome ; because this barbarous Deportment towards Hereticks was evidently repugnant to the true Spirit of Christianity, most contrary to the Example of our Blessed Saviour, and wholly opposite to the Principles and Practice of the Primitive and purest Ages of the Church.

The Author not setting his Name, declin'd the Credit of this excellent Performance. Modesty has a Right to hide the Face, and it is then a Rudeness in any other person to expose it ; but if I guess aright, he was a Man excellently qualified for such a Work. He had been a severe Student in the University of *Oxford* ; he was call'd from thence to go Chaplain to an *English* Embassy abroad ; he return'd with good Reputation for Knowledge and Discretion ; he was receiv'd as Domestick Chaplain at *Lambeth* ; he was well esteem'd and well prefer'd by the Archbishop, and was afterwards honourably elected a Professor of Divinity in *Oxford* ; and died too soon for the learned World, very much lamented by it.

I intended to conclude this Advice to the Reader with some Application to the present Juncture of Affairs ; but I find my own Thoughts better represented by the ingenious Pen of Sir *Richard Blackmore*, in his late lively Preface to his *True and Impartial History of the Conspiracy against the Person and Government of King William III. in the Year 1695.* which *History* and *Preface* may be of wise Use and Service to the present Generation, wherein some are asleep, and some few begin to open their Eyes.





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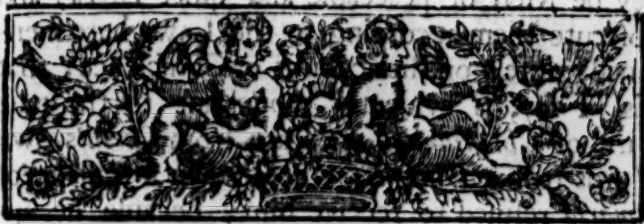
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THE



THE PREFACE.



Y Design in publishing this little Treatise, and the Use which I desire all good *Christians* to make of it, is,

First, to confirm them in the *Protestant Religion*, by such a sensible Demonstration of the *Falshood* of the *Religion* of the *Church of Rome*, as Men of all Capacities may apprehend. For if this barbarous Deportment towards *Hereticks* be evidently repugnant to the true Spirit of *Christianity*, if it be contrary to the Example of our *Saviour*, which we stand bound to imitate, if it be wholly opposite to the Principles and Practice of the *Primitive* and *purest Ages* of the *Church*; I hope this will sufficiently convince *wise Men*, that the Religion which commands these Cruelties and Inhumanities, cannot derive it self from him who is the *God of Love*, and *Patience*, and *Mercy*, and *Pity* to the *Sons of Men*.

§. i. Now that to burn, destroy, exterminate all those who differ from us in Religion, and

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upon

upon that account are called *Hereticks*, (though they be Men of peaceable and quiet Lives) and prosecute them according to the Laws here mentioned, purely on the account of Conscience; that this, I say, is evidently repugnant to the true Spirit of *Christianity*, we learn from *Christ's* own Words to his *Disciples*, who, when a Village of *Samaria* refused to receive him, because he appeared to them to be going to *Jerusalem*, ask'd this Question, Lord, wilt thou that we command Fire from Heaven to come down and to consume them, as *Elias* did? For our dear Lord no sooner heard this Question, but he rebuked his *Disciples*, saying, Ye know not what manner of Spirit ye are of, for the Son of Man is not come to destroy Mens Lives, but to save them. Where observe,

Luke ix.
54.

Ver. 55,
56.

1. That whereas they who are thus persecuted by the Church of Rome, are falsely supposed to be *Schismatics* and *Hereticks*, the *Samaritans* undoubtedly were both. For, First, in Opposition to the Temple of *Jerusalem*, which God himself appointed for the Place where he would be Worshipped, commanding all Men to repair to it, they erected a Temple upon Mount *Gerizim*, and there they Worshipped, deserting the Temple of *Jerusalem*; this was their *Schism*. Secondly, They also were *Hereticks* and *Idolaters*, for they err'd in matters which concerned Salvation, they feared the Lord, and served their own Gods, 2 Kings xvii. 33. And this our Saviour testifieth in these Words, Ye worship ye know not what, we know what we worship, for Salvation is of the Jews.

John 4. 22.

2. Observe, That whereas *Romanists* do exercise this Cruelty on them whom they call *Schismatics* and *Hereticks*, chiefly for their refusing to receive and own him as *Christ's* Vicar, who manifestly doth usurp that Title; these *Samaritans* refused to receive our Saviour himself in his own Person,



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3

Person, and that because he seemed to *be going to Jerusalem to Worship*, so that the Honour of God, and of Religion, and of Jerusalem, the Place of his peculiar Worship, were all concerned in this Case.

3. Observe, that the Permission of what was here desired by St. John and St. Peter, would have been more effectual for the Conviction of the Heretical, Schismatical Samaritans, than any of the Punishments inflicted by the Inquisition, or any Arts of Papal Tyranny can be for the Conviction of those whom they call *Hereticks* and *Schismatics*; for these Disciples did not desire that they themselves might execute on the Samaritans this Sentence, by committing them to the Flames, or by imploring the Magistrates Assistance to consume or burn them, they only did request that they might call upon the God of Heaven to rain down Fire upon them, and consume them; which had it pleased him to do on this Occasion, the rest of the Samaritans, by what this Village suffered, must have been evidently convinced by Demonstration from Heaven, of God's Displeasure against their way of Worship, and of the Truth of that Messiah and his Doctrine, who procured this Vengeance to be executed upon them; whereas the Persecutions of the Romish Church, because they minister no Conviction to the Conscience, serve only to harden Mens Hearts, and imbitter their Spirits against those who use them, and to induce them more firmly to believe, *That such a barbarous Religion cannot be of God.*

From these three Observations it is evident, that whatsoever may be pleaded by the Church of Rome to justify her Practice in burning, massacring, extirpating of *Hereticks* and *Schismatics*, might with Advantage have been pleaded here: "Doth

" she practise her Severities out of a Zeal for

Dr. Tillotson's Sermon, Nov. 5. 1678.

B 2

" Truth, p. 15.

“ Truth, and for the Honour of *God* and *Christ*,
 “ and of the true Religion, and for the reclaim-
 “ ing *Hereticks* and *Schismaticks*; and the prevent-
 “ ing or terrifying others from adhering to them,
 “ or being deluded by them.” Upon all these
 Accounts, you see that the *Disciples* had far greater
 Cause to call for *Fire from Heaven* upon this
 Village of *Samaria*. And yet our *Saviour*, under
 these Circumstances, thinks fit to rebuke even the
Desires of doing this to one small Village: How
 then will he rebuke the actual Performance of it to
 many hundred thousand Souls, after his solemn
 Declaration of the Repugnancy of these Proceedings
 to the Design of his most blessed *Advent*, and to the
 Spirit of his *Gospel*? for the true Reasons why
Christ rebuked his *Disciples* for their Desire of
 dealing thus severely with these *Schismatical* and
Heretical Samaritans, were these:

1. Because this Spirit of Severity towards erroneous
 Persons in whomsoever it is found, is highly opposite
 to the calm Temper of *Christianity*, as is insinuated
 in that Reply of *Christ* to his *Disciples*, *Ye know
 not what Spirit ye are of*, that is, Ye do not well
 consider under what Way of Dispensation ye are
 placed by me. The Way I come to teach
- Ibid.* p. 7. Men, the Temper, Disposition and Affection I
 would fix within them, is not a furious, persecuting,
 and destructive Spirit, but mild, and gentle, and
 tender of the Lives and Interests of Men, even of
 those who are our greatest Enemies. Under the
Old Testament, indeed, they who rejected and
 scoffed at a *Prophet*, suffered severely for it, the
Prophet had Commission to call for *Fire from
 Heaven* to devour them presently, curse them in the
Name of the Lord, 2 Kings ii. 24. But they who
 reject and crucify *Christ*, are by him pray'd for,
 and are by his Command, to be still preached to,
 and, if possible, brought to Repentance; and according

*Vide Dr.
 Hammond in
 locum.*

According to this Example, so are all *Christians* to conform themselves, acting towards Contemners of their *Persons*, or Rejectors of their *Doctrine*, not according to the *legal*, but the *evangelical* Dispensation; not according to the severity of *Elias*, but the *Meekness and Gentleness of Christ*. And therefore your Desire of proceeding according to the extraordinary Spirit of *Elias*, under the *Gospel* Dispensation, is intolerable; for that designs universal Love, Peace and Good-will; even to Enemies, it doth engage us to *show all Meekness to all Men*, and so no Difference of Religion, no Pretence of Zeal for God, can justify this fierce, vindictive and exterminating Spirit. Tit. 3. 1.

2. Our *Saviour's* second Reason against this Proceeding is, That it was repugnant to the end for which he came into the World, which was, *not to destroy Mens Lives, but to save them*: 'He came to discountenance all Fierceness, and Rage, and Cruelty in Men one towards another, to restrain and subdue that furious and unpeaceable Spirit which is so troublesome to the World, and the cause of so many Mischiefs and Disorders in it, to beget a peaceable Disposition in Men of the most distant Tempers,' making the *Lamb and Wolf lie down together*, and no more to destroy and hurt each other, but turn their *Swords into Plowshares, and their Spears into Pruning-Hooks*; engaging them to lay aside all Bitterness and Wrath, Anger and Clamour, and Evil-speaking, with all Malice. 'He came to introduce that excellent Religion which consults not only the eternal Salvation of Mens Souls, but their temporal Peace and Security, their Comfort and Happiness in this World:!!' Whose Fruits are *Righteousness and Peace, Rom. xiv. 18. Love, Peace, Long-suffering, Gentleness, Goodness and Meekness, Gal. v. 22, 23.* whose *Wisdom is pure and peaceable, gentle, and easy*

Dr. Tillot.
ibid. p. 8.

Esa. xi. 6.
9.
Esa. ii. 4.
Mich. iv. 3.
Ephes. iv. 31.

to be intreated, full of Mercy and Good-works, Jam. iii. 17. and which commands the wise and knowing Man to shew forth out of a good Conversation his Works with Meekness of Wisdom, ver. 13. condemning all his bitter Zeal as earthly, sensual and devilish, ver. 14. 15. which suffers not the Servant of the Lord to be engaged in such foolish Questions which beget Strife, because that the Disciple of this mild and gentle Saviour must not fight, but must be gentle towards all Men, patient in Meekness, instructing those that oppose themselves against the Truth, though their Doctrine spread as a Gangreen, and overthrow the Faith of some, 2 Tim. ii. 24, 25, --- 17, 18. not dispatching them out of the way, as is the manner of the Romanists, but with Long-suffering expecting if God peradventure will give them Repentance to the Acknowledgment of the Truth; which teacheth us to bear the Infirmities of Persons weak in Faith, Rom xv. 1. to restore them in the Spirit of Meekness, Gal. vi. 1. to become as weak to the weak, that we may gain the weak, 1 Cor. ix. 22. to bear with the weak, and be long-suffering to all Men, 1 Thes. v. 14. to speak evil of no Man, to be no fighters, but meek, shewing all Gentleness towards all Men, and that upon this sole Account, that we our selves were sometimes foolish and deceived, Tit. iii. 2, 3.

Now both these Reasons are such as equally concern all Persons, Magistrates as well as Ministers, Men who thus persecute out of misguided Zeal towards God, as well as they who do it out of Envy, Hatred, and such carnal Principles. And they seem plainly to infer, that no Man should be persecuted, as in the Church of Rome Men are, purely for his mistake concerning, or his denial of any Article of Faith revealed by the Gospel, but only for seditious and treasonable Doctrines, or for such Crimes, as, had the Gospel never been revealed, might justly have been punished by the

Civil

Civil Magistrate; or for seducing others from the Truth, when by the *Magistrate* they are forbidden so to do; or propagating and divulging their pernicious Errors, to the disturbance of the *Civil Peace*.

§. II. 2. Against this barbarous Deportment towards our Fellow *Christians*, it may be farther argued from the Example of our *Saviour*, and the Deportment of his Blessed *Apostles*. For,

1. Our *Saviour's* Miracles were not destructive to Mankind, but beneficial to them, whereas he could, and, had he been of the same Judgment with the *Church of Rome*, he should have exercised his Power to the Destruction of those *false Prophets who deceived many*, Mat. 24. 11. and of those *Scribes and Pharisees* who did so vigorously oppose the Propagation of the *Gospel*; and who ascribed his Power of working Miracles to *Beelzebub*, and by so doing became guilty of the impardonable Sin. For what can be pretended for the Exercise of this Severity at present, which might not with Advantage have been then pretended? What can be said for doing this by *human Power*, which might not have been said more plausibly for doing it by *divine Power*? Will you say the *Scribes and Pharisees* did ignorantly oppose the *Gospel*, and therefore by our *Lord's* Example are to be forgiven, that they were Objects of *God's* Mercy, because they did it ignorantly in *Unbelief*, as well as *Paul*? No doubt their Ignorance was as gross as that which they can reasonably object to us whom they call *Hereticks*, and therefore the Example of our *Saviour's* Prayer, *Father forgive them, they know not what they do*, and of *God's* Mercy to *St. Paul*, more strongly plead for Mercy towards them, whom without Mercy they destroy. Were not those *blind Guides*, who led their Followers into the *Pit*, who made their *Profelytes ten times more the*

Matth. xii.
24, 32.

1 Tim. i.
13.

Matth. xv.

Mat. xvii.
13, 15.

*Children of Satan than themselves, who neither would enter into the Kingdom of God, nor suffer other Men to enter, as fit Objects of our Lord's Displeasure; as was Huss, and Jerome of Prague, Archbishop Cranmer, Latimer and Ridley of the Displeasure of the Church of Rome? Was not the Execution of Death from Heaven upon these violent Opposers of the Truth, as likely to convert the few or terrify the Enemies of the Gospel, as is the burning, massacring, tormenting of the Hereticks, to fright them from their Heresies? Might not our Lord as well have called for his twelve Legions of Angels to destroy the Scribes and Pharisees, as his pretended Vicar gathers Crusado's to destroy the Hereticks? And might he not more plausibly have pleaded Zeal for God and for Religion in his Case, than doth the Church of Rome in hers? But, notwithstanding all these Provocations and specious Pretensions, our Lord, 'intending that his Religion should be propagated in human Ways, and 'that Men should be drawn to the Profession of 'it by the Bands of Love, and the Cords of a 'Man, by the gentle and peaceable Methods of 'Reason and Perswasion, gave no Example of 'a furious Zeal and religious Rage against those 'who despised his Doctrine. It seemed good to 'the Author of this Institution to compel no Man 'to it by temporal Punishments; when he went about making Proselytes, he offered Violence to 'no Man, only said, *If any Man will be my Disciple, if any Man will come after me.* And when 'his Disciples were leaving him, he does not set 'up an Inquisition to torture and punish them for 'their Defection from the Faith, only says, *Will ye also go away?**

Dr. Tillotson, *ibid.*
P. 13.

John vi.
67.

§. III. But to proceed to the Example and Deportment of those *Apostles* by whom the Gospel was first Propagated, let us consider.

I. That in their Days the *Hereticks* were as pernicious, the *false Prophets* and *Deceivers* as dangerous, and so as fit to be cut off, as were the *Hereticks*, who have, and do thus suffer in the Church of Rome. Our Saviour did foretel that they would deceive many, and if it were possible, even the elect. St. Paul, That grievous Wolves should enter into the Church, not sparing the flock; That men should speak perverse things, to draw away disciples after them; That in the latter times some should depart from the Faith, giving heed to seducing Spirits and Doctrines of Demons, speaking lies in Hypocrisy, &c. St. Peter, That there should be false Prophets among them who should bring in damnable Heresies, even denying the Lord that bought them, by reason of whom the way of truth should be evil spoken of. They declared concerning these Deceivers, That by good words and fair speeches they deceived the hearts of the simple; That they bewitched them, that they should not obey the truth; That they made them fall from grace, and rendred Christ unprofitable to them; That their Doctrine did spread as a Gangreen, and overthrow the Faith of some. That they subverted whole houses; teaching things which they ought not, particularly, that Jezebel, calling her self a Prophetess, did pervert Christs servants and teach them to commit whoredom, and eat things offered to Idols; That by means of these false teachers, and Corrupters of the Truth, some had already swerved from the Faith, turning aside to vain janglings, some had made shipwreck of the Faith, and that they were in doubt of others; that they were jealous over them with a Godly jealousy, and feared lest as the Serpent beguiled Eve through his subtilty, so their minds should be corrupted from the simplicity that is in Christ. So that you see, they had great reason to do

Matt. 24.

11. 24.

Act. 20.

29, 30.

1 Tim. 4.

1.

do themselves, and to advise the *Rulers* of the *Church*, *Civil* and *Sacred*, in future *Generations*, to do all that was proper and fitting to be done by *Christians* for the rooting up of those *Tares*, and the delivering the *Flock* of *Christ* from their pernicious *Delusions*.

2. Consider that the *Disciples* of our *Lord* could have confounded all these *Hereticks*, *false Prophets* and *Deceivers*, and by a *Word* have sentenced them to *Death*, as *Peter* in the case of *Ananias* and *Sapphira* did, had they conceived this *Method* of proceeding suitable to the *Mind* of *God*, the *Rules* of their *Profession*, and tending to the *Edification* of the *Church*. For they were furnished with a *Power* of working *Miracles*, The *Weapons* of their *Warfare* were not *carnal*, but mighty through *God*, to the pulling down of *Strong-holds*, and casting down every thing that exalted it self against the *Knowledge* of *Christ*, and to revenge all *Disobedience* against him; they had a *Power* given them by *Christ*,
 2 Cor. x. with a *Power* of working *Miracles*, The *Weapons*
 4. 5. 6. of their *Warfare* were not *carnal*, but mighty through
 2 Cor. xiii. *God*, to the pulling down of *Strong-holds*, and casting
 29. down every thing that exalted it self against the *Know-*
 2 Cor. v. ledge of *Christ*, and to revenge all *Disobedience* against
 33. him; they had a *Power* given them by *Christ*,
 2 Cor. xiii. *χρησάμενοι τῷ ὀνόματι τοῦ κυρίου ἡμῶν Ἰησοῦ χριστοῦ*, to use *Severity*, provided that it were
 29. for *Edification*, and not for *Destruction*, ἵνα αἰσθῇ τὴν
 2 Cor. v. ποῦνην, to take away, or, to cut off the *Wicked*
 33. Person from among them by the *Spiritual Sword*:
 2 Cor. iv. The *Kingdom* of *God* preached by them was not
 21. in *Word* only, but in *Power*, they had a *Rod* for the
 21. Chastisement of those refractory Persons on
 whom the *Spirit* of *Meekness* could not prevail,
 Chap. v. 5. and they could give Men up to *Satan* for the *De-*
 struction of the *Flesh*; but yet we never find that
 they did use their *Power* to inflict *Death* upon
 the *Heretick* or the *Deceiver*, or that the *Power*
 of the *Lord*, which did attend upon their
 Censures, ever did thus operate. But on
 the contrary, the *Fathers* note, * that the

* Ὅσον τίς ποτε καὶ Ζαλαῦ, μόνῃ σέματι ἀψαῖς, μὴ καὶ
 ψυχῆς ὁμοίον ἐν πρῶτῳ ἰσθῶ φησὶν ὁ Θεός, πάλιν δὲ ψυχῆς αὐτῶν καὶ
 Apostle

The P R E F A C E.

11

Apostle setteth Bounds to the Chastisement of the Devil, permitting him to afflict the Body of the wicked Person, or the Heretick, with a Disease, or Boil, but not to take away his Life, as in the case of Job.

3. Consider, that these *Apostles*, knowing, by the Spirit, that the *Christian Faith* would certainly prevail, and after a few *Centuries* would have the Favour and the Protection of the *Civil Magistrate*, could, had they thought it meet, have left, in those most Sacred Books which they composed to be a *Rule of Faith and Manners* to all future Ages, some Directions to the *Civil Magistrate* for dealing with the *Heretick*, agreeable to the *Decrees of Roman Councils*; for it is not to be supposed, that they either wanted Zeal for that Religion which they promoted with the Loss of Life, and all things in this World desirable, to prompt them so to do, or that they wanted Wisdom to know what was the best and truest Method of promoting, or of preserving that Religion which they had preached throughout the World.

4. Consider, that the *Apostles* shewed their Care and Zeal for Preservation of the *Church* from the pernicious Doctrines and Delusions of these false Teachers, by all other Ways which they judged proper for this End. For,

1. We find in their Epistles frequent Exhortations to the *Christian* to *stand fast in the Faith*, to *hold fast the Profession of the Faith without wavering*, to *hold fast the Form of sound Words*, to *hold fast the faithful Word as they had been taught*, against all Opposers, to be *steadfast in the Faith*, to contend earnestly for the Faith, and to build up our selves in

1 Cor. xvi.

13.

Heb. x. 22.

2 Tim. i.

13.

Tit. i. 9.

1 Pet. v. 9.

Jud. iii. 2.

4.

α'ψι καλῶς ὅς ἐστιν ἀλεθρὰ ἡ σαρκὸς, οἷον ἵνα ῥάσω αὐτὸν τῇ ψυχῇ.
Oecum. in 1 Cor. 5. 5. p. 438. Gr. Theodorea in locum. "Ἰνὰ
μασίῃ αὐτὸν ἔλκεν πονηρῶ, ἢ ῥάσω ἐτέρῃ. Chrysostom in lo-
cum.

our

Acts xiv. *our most holy Faith, and that because of certain Men*
 22. *crept in among them, who turned the Grace of God into*
 John viii. *Lasciviousness; to continue in the Faith, and in the Word*
 3. *of Christ, and in the things which they had learn'd.*
 2 Tim. iii.

14. 2. They gave all *Christians* notice of these *false Teachers* and *Deceivers*, that they might avoid them, and beware of their *Delusions*. Beware of *false Prophets*, saith our *Saviour*, by their *Works* you shall know them, Matth. vii. 15. See to it, saith he, I have told you of them, Mark xiii. 23. Mark them, and avoid them, saith St. Paul, who cause *Divisions* and *Offences*, contrary to the *Doctrine* which you have received, Rom. xvi. 17. Beware of *Dogs*, beware of *evil Workers*, beware of the *Concision*, saith the same *Apostle*, Phil. iii. 1. turn away from them, 2 Tim. iii. 5. beware lest, being led away by the *Error* of the wicked, you fall from your own *Stedfastness*, saith *Peter*, 2 Pet. iii. 17.

3. They frequently exhort the *Rulers* of the *Church* to take heed to their *Flocks*, and to be watchful to preserve them from these *Wolves*, Acts xx. 28, 31. to stop their *Mouths* and to rebuke them sharply, Tit. i. 11, 13. to reject, and to turn from them, 2 Tim. iii. 5. Tit. v. 10. And our *Lord Christ* himself, rebukes the *Church of Thyatira*, for suffering *Jezebel* to seduce his *Servants*.

4. They sometimes did deliver up to *Satan* those who made *Shipwreck* of the *Faith*, and who had overthrown the *Faith* of some, as in the case of *Hymeneus* and *Alexander*, 1 Tim. i. 19, 20. they declare that they were ready to revenge the *Disobedience* of the *Seducers* of the *Church of Corinth*, 2 Cor. x. 6. they wished them cut off who troubled the *Church*, as in the case of the *Galatians*, Gal. v. 12. And that God would reward them according to their *Works*, as in the Case of *Alexander*, 2 Tim. iv. 14. And yet, though in another Instance, and for another *Crime*, they once inflicted *Death* upon two *Members*

bers of the *Church*, yet did they never do it in the case of *Heresy*; but on the contrary, they declared their Power was given *not for Destruction, but* ^{2 Cor. x.¹} *Edification.* ^{13.}

5. Consider that their miraculous Proceedings against *Hereticks*, had they thought fit to act after the manner of the *Church of Rome*, must have been more convincing to the remaining *Hereticks*, and more effectual to preserve others from the Infection of their *Heresie*, and for all other pious Ends, than human Punishments can be supposed to be, they being Demonstrations from Heaven of the Falshood of the Doctrine of the *Heretick*, and the Displeasure of the Lord against it, they being done, *τῇ Δυνάμει τοῦ Κυρίου* by the Power of the Lord confirming the Sentence of these *Church Governours*, must be a Confirmation of the Justice of that Sentence. Whereas the Proceedings of the *Church of Rome* can have no such Effects, but rather tend to harden *Persons* in their supposed *Heresy*, and shew that they of *Rome* distrust the Merits of that Cause which cannot be maintained by any other Arguments but Fire and Faggot, Swords and Inquisition. That therefore the *Apostles* declined this Method of proceeding, that they gave no Instructions to future *Ages* to deal with *Hereticks* in such a bloody Manner, is a convincing Demonstration, that they conceived such Actions were repugnant to *Christianity*, and to that Doctrine which they preach'd. And truly, ' if *Dr. Tillotson*, p. 11. *Christianity* can be contradicted, it is most palpably and grossly done by those Men, who, instead of shewing all Meekness towards all Men, though foolish and deceived, do by inhuman Cruelties and Persecutions, by barbarous Inquisitions, bloody Massacres, endeavour to extirpate all that differ from them; who, instead of instructing in Meekness those that oppose themselves, if God per-

adven-

‘ adventure will give them Repentance to the Acknowledgment of the Truth, convert them with Fire and Faggot, and render it impossible for them to repent; who, instead of chastising the Flesh, that the Soul may be saved in the Day of the Lord Jesus, and labouring to recover them out of the Snare of Satan, give them up quick into his Hands, their Bishops being not ashamed to say at the Condemnation of an Heretick, *Jam committimus Animam tuam Diabolo*, We commit thy Soul to the Devil.

§. IV. Besides these, other Reasons have been used by our Divines against this kind of Persecution, and putting Hereticks to death, which, though they seem not to me so convincing as the former Arguments, yet were they used by the Ancient Fathers to that very Purpose for which they were produced by our Writers, and so deserve to be insisted on, at least to shew the full Agreement of the Ancient Fathers with us in this Point. And,

Matt. 13.
29, 30.
Dr. Taylor's
Liberty of
Prophecy,
Chap. 13.

1. They plead our Lord's Command, who saith to his Servants, *Gather not the Tares by themselves, but let them both grow together till the Harvest*; ‘ Where the Enquiry will be, First, What is meant by Tares, or The Children of the wicked One; Whether Persons wicked only in *Re practica*, or vicious in their Lives, or Men criminal or faulty in *Re intellectual*, perverse in Judgment, and reprobate concerning the Faith; for one or other of these two must be meant, but the former cannot be meant, because it would destroy all Bodies politick, which cannot consist without Laws, nor Laws without Compulsion and the Power of the Sword; so that if Criminals were to be let alone to the Day of Judgment, Bodies politick must stand or fall at the Pleasure of wicked Men, and nothing Good could be protected, not Innocence it self; nothing could

‘ be

‘ be secure but Violence and Tyranny; it follows
 ‘ then that the Persons whom *Christians* are forbid-
 ‘ den here to root out of the Field, must be Men faulty
 ‘ in another kind, in which the *Gospel* had not in
 ‘ other places clearly establish’d a compulsory Pow-
 ‘ er of this Nature: Since therefore in Actions pra-
 ‘ ctically criminal, a Power of the Sword is permit-
 ‘ ted here, where it is denied, the Crime must be,
 ‘ not in things practically criminal, but intellec-
 ‘ tual, that is, in Matters properly *Heretical*.
 ‘ And this Interpretation is confirmed by the
 ‘ Reason of the Prohibition, which is this.’ *lest*
 ‘ we also pull up the Wheat with them, that is, ‘ lest
 ‘ we, by our Mistake, destroy those Persons, who,
 ‘ notwithstanding their Ignorance or Error in some
 ‘ unnecessary Points of Faith, may be good Men;
 ‘ we being not so able to discern whether they
 ‘ err through Obstinacy or Perverseness, or only
 ‘ through Ignorance or Weakness, as we are to
 ‘ discern the outward Actions of the vicious Per-
 ‘ son, which deserve to be punished. Secondly,
 ‘ For Explication of this Precept, it will be ne-
 ‘ cessary to enquire, what it is to gather up these
 ‘ Tares.’ Now *Christ* himself informs us, that it is
 the same to gather up, and to root the Tares
 out of the Field, in which the Enemy had sown
 them. That Field is, saith our *Saviour*, the *World*,
 and therefore to root these Tares out of this Field,
 is to destroy them out of the World. ‘ The Pro-
 ‘ hibition therefore lies against the use of the
 ‘ temporal Sword in cutting off these Persons.’
 Accordingly St. *Chrysostom* concludes, * that *Here-*
ticks are not to be cut off. *Theophylact* upon the
 Place declares, † that God permits not *Hereticks* to

* Οὐ γὰρ ἀναρπῆν αἱρετικόν, &c. 2. Το. pag. 297.

† Ὁ Θεὸς ἐ συγχωρεῖ τὰς αἱρετικὰς διὰ πολέμων ἀναλί-
 σκεῖν, ἵνα μὴ συμπάχωσι, καὶ συναλίσκωνται. καὶ οἱ δίκαιοι.
Theophyl. in locum.

be consumed by Wars, lest the Just should perish with them. The Observation of St. *Austin* is this, that
 ‘ * our Lord, speaking to his Servants, saith not,
 ‘ in the Time of the Harvest I will say to you; but
 ‘ I will say to the Reapers: Whence, saith he, we
 ‘ may learn that the Work of gathering the Tares
 ‘ to burn, belongs to other Ministers, and that
 ‘ no Son of the Church ought to conceive that
 ‘ Office doth belong to him. When the Ser-
 ‘ vant sees so many Falsities of *Heresies*, he may
 ‘ have a Desire, saith he; that such Men should
 ‘ be taken out of the World, but then he con-
 ‘ sults the Justice of God, whether he commands,
 ‘ or permits, or would have this to be the Du-
 ‘ ty of Men. Hence the Servants say, Wilt thou
 ‘ that we gather up the Tares? To whom he,
 ‘ who is Truth it self, answers, That such Men
 ‘ are not to be taken out of the World, lest
 ‘ whilst Men endeavour to kill the Bad, they also
 ‘ kill the Good, or such perhaps as would be
 ‘ such. But this would commodiously be done
 ‘ when, at the End of the World, there remains

* Dicam, inquit, Messoribus: unde intelligitur colligendorum zizaniorum ad comburendum alia esse ministeria, nec quinquam Ecclesiæ filium, N. B. debere arbitrari ad se hoc officium pertinere.--- potest ei suboriri voluntas, ut tales homines de rebus humanis auferat, si aliquam temporis habeat facultatem, sed utrum facere debeat, justitiam Dei consulit, utrum hoc ei præcipiat vel permittat, & hoc officium esse hominum velit. Hinc est quod Servi dicunt, Vis, imus & colligimus ea? quibus Veritas ipsa respondet--- non esse tales auferendos de hac vita, nè cum malos conatur interficere, bonos interficiat, quod fortè futuri sunt, --- sed tunc opportunè fieri cum jam in fine non restat vel tempus commutandæ vitæ, vel perficiendi ad veritatem, &c. an fortè ideo simul eradicatur triticum cum auferuntur zizania, quia multa primo zizania sunt, & postea triticum fiunt; qui nisi patientèr, cum mali sunt, tolerentur, ad laudabilem permutationem non perveniant; itaque si evulsi fuerint, simul eradicabitur & triticum, quod futuri essent, si eis parceretur. *August.* Quæst. ex *Matth.* lib. un. cap. 12. To. 4. p. 366, 367.

‘ no more Time for Change of Life : And per-
 ‘ haps, *saith he*, therefore the *Wheat* is rooted up
 ‘ with them when the *Tares* are taken away, be-
 ‘ cause many are first *Tares*, and afterwards
 ‘ *Wheat*, who, unless they are patiently born with
 ‘ when they are bad, come not to a laudable
 ‘ Change; and therefore, if they be plucked up,
 ‘ the *Wheat* will be plucked up with them, be-
 ‘ cause they would have been such had they been
 ‘ spared.’ *Euthymius*, on the Place, *saith*,
 ‘ That by the Harvest our Lord understands the
 ‘ End of the World, and therefore commands his
 ‘ Servants that they should suffer the *Hereticks* to
 ‘ live with them, *non ablatos quidem, sed separatos*,
 ‘ though separated from them, it being likely that
 ‘ before that Time many of them may be converted.

2. It is urged by our Divines, ‘ That when our
 ‘ *Saviour* went about to make Profelytes, he of-
 ‘ fered Violence to no Man, only he said, If any
 ‘ Man *will be my Disciple*, if any Man *will come*
 ‘ to me; and that when his Disciples were leaving
 ‘ him, he did not set up an *Inquisition* to torture
 ‘ them for their Defection from the Faith, only
 ‘ said, *Will ye also go away?*’ And the same Ar-
 ‘ gument is twice produced by St. *Athanasius* a-
 ‘ gainst the persecuting *Arians*, ‘ * The Devil, *saith*

* Οὕτως ὁ μὲν Διάβολος, ἵπεν μηδὲν ἀληθὲς ἔχει, ἐς πελίκην
 ἢ λαξυνηρίαν ἐπιβαίνων κατέλασεν τὰς ψυχὰς τῶν διχομήτων αὐτῶν·
 ὁ δὲ Σωτὴρ ἄλλως ἐστὶ πρῶτος ὡς διδάσκειν μὲν εἰ τις θέλει ὀπίσω
 μηελθεῖν, ἢ ὁ θέλων εἶναι με μαθητὴς, ἐρχόμενον δὲ πρὸς ἑκάστον
 μὴ βιάζεσθαι, ἀλλὰ μάλλον κρᾶν τε καὶ λέγειν, ἀνοιξόν μοι ἀδελφὴ
 μου, ὡς μοι καὶ ἀνοιγόντων μὲν εἰσέρχεται, ὀκνηόντων δὲ καὶ μὴ θελήσων
 ὀκνῶντων, ἀναχωρεῖ, καὶ ὅς τις ἐλπίσειν ἢ βιάσειν ἐδὲ διὰ σεβασίων ἢ
 ἀλλ’ ὅτι κατὰ γὰρ μέλου, ἀλλὰ πειθοῖ καὶ συμμικλίας. *Athanas. Ep. ad*
solit. vitam agentes, p. 830. 131. And p. 855. Θεοσεβείας μὲν ἴδι-
 ον μὴ ἀναγκάζειν ἀλλὰ πειθεῖν, καὶ ὅς Κύριος αὐτὸς ἐβιάσθη·
 ἀλλὰ τῇ πειθαίρεισι διδόντες, ἔλεγε πάνσι μὲν, εἴ τις θέλει ὀπίσω
 μηελθεῖν, τοῖς δὲ μαθηταῖς, μὴ καὶ ὑμεῖς θέλητε ἀπελθεῖν.

C

‘ he

‘ *he*, because he has no Truth in him, invades
 ‘ the Doors of them who receive him with an
 ‘ Ax and Hatchet; our Saviour on the contrary
 ‘ is mild, and faith, if any Man will follow
 ‘ me, and be my Disciple; and when he comes
 ‘ to any one, he doth not offer Violence, but
 ‘ only knocks, and faith, Open, my Sister, my
 ‘ Spouse. And if they open, he enters, if not,
 ‘ he departs, for Truth is not to be preached
 ‘ with the Sword and military Preparation, but
 ‘ by Counsel and Perswasion. And again, our
 ‘ Lord himself not offering Violence, but giving
 ‘ place to human Choice, said to all, If any Man
 ‘ will come after me; and to his Disciples, Will
 ‘ ye also go away? This Heresy therefore, which
 ‘ is perfectly repugnant to Piety, what should it
 ‘ do, but that which is contrary to our Savi-
 ‘ our?’

§. V. The Reasons against this Deportment
 towards *Hereticks* are also very cogent, but they
 are so incomparably managed by Dr. *Taylor*, in
 his immortal Book, stiled *The Liberty of Prophe-*
cying, that ’tis not easy to add any thing of mo-
 ment to them. I therefore only shall take notice
 of one Passage in him, viz. ‘ That it is one of

§. 13.

Num.

12.

‘ the Glories of *Christianity*, that it came in upon
 ‘ the World with no other Force but that of
 ‘ Reason and Demonstration of the Spirit; that
 ‘ towards the Persons of Men ’twas always full
 ‘ of Meekness, Charity, Compliance, Toleration,
 ‘ Condescension and Forbearance, *restoring*
 ‘ Persons overtaken with an Error, *in the Spirit*
 ‘ of Meekness: Now Things are best preserved by
 ‘ that which gives them their first Being, and
 ‘ which agrees best with their Temper and Consti-
 ‘ tution; and it would be a mighty Disparage-
 ‘ ment to so glorious an Institution, that in its
 ‘ Principle it should be merciful and human, and
 ‘ in

‘ in the Propagation of it so inhuman; and it
 ‘ would be improbable and unreasonable, that the
 ‘ Sword should be used in the Persuasion of one
 ‘ Proposition, and yet in the persuasion of the
 ‘ whole nothing like it: To do so may serve the
 ‘ End of a *temporal Prince*, but never promote
 ‘ the Honour of *Christ’s Kingdom*.

§. VI. Moreover, this bloody, persecuting
 Temper, as it is contrary to *Scripture*, so also doth
 it flatly contradict the *Principles* and *Practice* of
 the *Antient Church*, and of the *Primitive Profes-*
sors of the Christian Faith; it is repugnant to ma-
 ny *Principles* which then obtained amongst *Chri-*
stians. For Instance;

1. It was a Principle which generally obtain-
 ed among *Christians* till the Days of *Constantine*,
 and afterwards continued to be maintained by ma-
 ny *Fathers* of the *Church*, viz. ‘ That Men were
 ‘ to be left to their Freedom in Matters of Reli-
 ‘ gion, and not to be compell’d by outward Pu-
 ‘ nishments to the Profession of it. * This, Saith
 ‘ *Tertullian*, is the natural Right of all Men, to
 ‘ worship what they think fit. It is no Busi-
 ‘ ness of Religion to compel Men to Religion;
 ‘ for that, *saith he*, must be embraced willingly,
 ‘ and not of Force. Consider, *saith the same Ter-*
 ‘ tullian, whether this do not add to your Irre-
 ‘ ligious, to forbid the Freedom of Religion, and
 ‘ interdict the Choice of a Deity, that I may not
 ‘ worship whom I will; but must be compell’d
 ‘ to worship whom I would not.

* *Humani juris, & naturalis potestatis est, unicuique quod putaverit colere, — sed nec Religionis est cogere Religionem, quæ spontè suscipi debeat, non vi. Tertull. ad Scap. cap. 2. Videte, ne hoc ad irreligiositatis elogium concurrat, adimere libertatem Religionis, & interdicere optionem Divinitatis, ut non liceat mihi colere quem velim, sed cogar colere quem nolim. Apol. cap. 24.*

The P R E F A C E.

* ‘ Who may impose upon me, *saieth Lactantius*, a Necessity either of worshipping what I would not, or of not worshipping what I would? What have we farther left, if another’s Lust may extort from us that which ought to be done freely? There is here no need of Force or Injury, *saieth he*, for Religion cannot be compell’d; you must use Words, not Stripes to make Men willing. Why therefore are Men cruel, that whilst they endeavour to diminish, they may augment their Folly? Torments and Piety extreamly differ; nor can Religion consist with Force, or Justice be conjoin’d with Cruelty. For nothing is so voluntary as Religion, in which, if the Mind of the Sacrificer be averse, the Religion is lost, and none at all.

† ‘ The Epistles of the *Arians*, *saieth Hilary*, what do they do, but deprecate the Liberty of

* Quis imponat mihi necessitatem vel colendi quod nolim, vel quod velim non colendi? Quid jam nobis ulterius relinquitur, si etiam hoc, quod voluntate fieri oportet, libido extorqueat aliena? Lactant. l. 4. c. 13, & c. 19. Non est opus vi & injuria; quia Religio cogi non potest; verbis potius quam verberibus res agenda est, ut sit voluntas — Quid ergo sæviunt? Ut stultitiam suam dum minuere volunt, augeant? Longè diversa sunt carnificina & pietas, nec potest aut veritas cum vi, aut justitia cum crudelitate conjungi. Nihil est enim tam voluntarium quam Religio, in qua si animus Sacrificantis aversus est, jam sublata, jam nulla est.

† Quid aliud his literis quam libertatem fidei, & contagionem *Aiani* nominis deprecantur, orantque vincula, carceres, tribunalia, &c. Deus cognitionem sui docuit, potius quam exegit, & operationum cœlestium admiratione præceptis suis concilians auctoritatem, coactam confitendi se aspernatus est voluntatem, si ad fidem veram istiusmodi vis adhiberetur, Episcopalis doctrina obviam pergeret, diceretque, Deus universitatis est, obsequio non eget necessario, non requirit coactam confessionem, non fallendus est, sed promerendus, simplicitate quærendus est, confessione discendus est, charitate amandus est, timore venerandus est, voluntatis probitate retinendus est: At verò quid istud quod Sacerdotes timere Deum vinculis coguntur, pœnis jubent

‘ Faith,

‘ Faith, and beg for Bonds, and Prisons, and
 ‘ Tribunals, and all that is pernicious; where-
 ‘ as God rather taught, than exacted the Know-
 ‘ ledge of himself, and ascertaining the Authori-
 ‘ ty of his Commands by Works of Power, de-
 ‘ spised all compell’d Confession of himself. If
 ‘ such Force should be used to compel your
 ‘ Faith, (saith he to the *Arians*) * the Episcopal
 ‘ Doctrine would oppose it, and would say, *God*
 ‘ is the *God* of the whole World, he needs no
 ‘ compell’d Obedience, nor requires any such
 ‘ Confession of him; he is not to be deceived,
 ‘ but well-pleased. God is to be sought with
 ‘ Simplicity, learnt by Confession, lov’d by Cha-
 ‘ rity, worshipped by Fear, retain’d by Probity
 ‘ of Will; whence is it (therefore) that Priests
 ‘ are compell’d by Bands, and commanded by
 ‘ Punishment to fear *God*? That they are there-
 ‘ fore imprisoned, &c. Therefore do ye labour
 ‘ and rule the Commonwealth with salutary Coun-
 ‘ sels, saith he to the *Emperour*, that all under
 ‘ your Government may enjoy the sweetest Li-
 ‘ berty, there is no other way to compose our
 ‘ Troubles; let (then) thy Lenity permit the
 ‘ People to hear them teaching whom they would
 ‘ hear, whom they think meet, whom they
 ‘ chuse.’

2. They also thought it an indecent and un-
 worthy Thing to call in the *Secular Arm* for the
 assistance of Religion, and for the Punishment of

tur? Sacerdotes carceribus continentur, &c. Hilar. lib. ad
 Constantium Augustum, pag. 338, 339, 340.

* Idcirco laboratis & salutaribus consiliis Rempublicam re-
 gitis, — ut omnes quibus imperatis dulcissimâ libertate potian-
 tur. Non aliâ ratione quæ turbata sunt componi, quæ divulsa
 sunt coerceri possunt, — permittat lenitas tua populis ut quos
 voluerunt, quos putaverint, quos elegerint, audiant docen-
 tes, Pag. 338.

Errors in *Religion*, or Affronts offered by them to the *Deity*. St. *Hilary*, in his Book against *Auxentius* of *Milan*, represents them who did this, not as the *Bishops* of *Christ*, but the *Servants* of *Antichrist*. ‘ And * first, saith he, we ought
 ‘ to pity the Labour of our Age, and groan at
 ‘ the fond Opinions of the present Times, in
 ‘ which Men think to defend God by Men, and
 ‘ labour to preserve the *Church* of *Christ* by *Secu-*
 ‘ *lar Ambition*. I beseech you *Bishops*, who con-
 ‘ ceive your selves to be so, What Suffrages did
 ‘ the *Apostles* use in Preaching of the *Gospel*?
 ‘ And by what Powers were they assisted when,
 ‘ Preaching *Christ*, they converted the Heathen
 ‘ World from *Idols* to God? Did they assume to
 ‘ themselves any Authority from the Palace,
 ‘ when they sang Hymns to God in Prison? Did
 ‘ *Paul* gather a *Church* to *Christ* by the King’s
 ‘ Edict, who was himself a Spectacle in the The-
 ‘ atre? Did he defend himself by the Protection

* Ac primum misereri licet nostræ ætatis laborem, & præ-
 sentium temporum stultas opiniones congemiscere, quibus pa-
 trocinari Deo humana creduntur, & ad tuendam Christi Eccle-
 siam ambitione seculari laboratur. Oro vos, Episcopi, qui hoc
 vos esse creditis, quibusnam suffragiis ad prædicandum Evan-
 gelium Apostoli usi sunt? Quibus adjuti Potestatibus Christum
 prædicaverunt, gentesque ferè omnes ex Idolis ad Deum tran-
 stulerunt? Anne aliquam sibi assumebant è Palatio dignitatem,
 hymnum Deo in carcere, inter catenas & flagella cantantes?
 Edictisque Regis *Paulus* Christo Ecclesiam congregabat? *Nero-*
ne se, credo, aut *Vespasiano*, patrocinantibus, tuebatur, quorum
 in nos odiis confessio divinæ prædicationis effloruit? At nunc,
 proh dolor! divinam fidem suffragia terrena commendant, in-
 opque virtutis suæ Christus, dum ambitio nomini suo concilia-
 tur, arguitur. Terret exiliis & carceribus Ecclesia, credique sibi
 cogit, quæ exiliis & carceribus credita est, pendet à dignatione
 Communicantium, quæ persequentium est consecrata terrore,
 fugat Sacerdotes, quæ fugatis est Sacerdotibus propagata, dili-
 genter gloriatur à mundo, quæ Christi esse non potuit, nisi eam
 mundus odisset. *Idem Epist. ad Auxentium, p. 347.*

‘ of

‘ of *Nero*, or *Vespasian*, by whose Hatred against
 ‘ us the Preaching of our Faith then flourished?
 ‘ But now, which is to be lamented, earthly Suffra-
 ‘ ges commend divine Faith, and *Christ* is repre-
 ‘ sented as destitute of his Power, whilst the Fa-
 ‘ vour of Men is purchased in his Cause. The
 ‘ *Church* terrifies by Exiles and Prisons; she com-
 ‘ pels Belief, which was believed in Exiles and
 ‘ Prisons; she which was consecrated by the Ter-
 ‘ ror of Persecutors, depends upon the Favour of
 ‘ them who communicate with her; she puts to
 ‘ flight Priests, which was propagated by Priests
 ‘ put to flight; she glories that she is beloved by
 ‘ the World, which could not be the *Church* of
 ‘ *Christ*, if the World did not hate her.’

The Plea of *Heathens* for their Cruelty against
 the *Christians* was to this effect, *That they did pu-
 nish Christians, to revenge the Injuries done by their
 Faith and Doctrines to their Gods.* This, say the
Ancient Fathers, is a ridiculous and absurd Me-
 thod of Proceeding, and you ought rather to
 leave the Sacrilegious and Impious Transgressors
 of their Law, to the Vengeance of your Gods.
 For, * ‘ If your *Deities* have any Power, saith
 ‘ *St. Cyprian*, let them rise up, and vindicate
 ‘ themselves and by their Majesty defend them-
 ‘ selves; for what can they do for those that
 ‘ worship them, who cannot vindicate themselves
 ‘ from those who do not worship them?’ †
 ‘ Is it so, saith *Arnobius*, that the Gods desire the

* Si quid diis tuis numinis & potestatis est, ipsi in ultionem
 suam surgant, ipsi se sua majestate defendant; aut quid præsta-
 re colentibus possunt, qui se de non colentibus vindicare non
 possunt? *Cyprian. ad Demetr. §. 12.*

† Ergo humana patrocina dii quærunt? & nisi vestra fue-
 rint assertione protecti, idonei non sunt ipsi qui propulsare,
 defendere suas valeant contumelias. *Arnob. l. 1. p. 11.*

‘ Protection of Men? Are they not able without
 ‘ your asserting of their Cause, to defend them-
 ‘ selves, and to repel the Calumnies of us *Chri-*
 ‘ *stians*?’ * ‘ When the *Heathens* punish the Sa-
 ‘ *crilegious*, saith *Lactantius*, they distrust the Pow-
 ‘ er of their *Gods*, for if they think they can do
 ‘ any thing, why do they not leave them to exe-
 ‘ cute their own Vengeance on such Persons?

3. Another Principle, though not so gene-
 rally embraced, yet taught by many eminent As-
 sertors of the *Christian Faith*, was fundamentally
 repugnant to this cruel Butchery, viz. *That their*
Religion did not permit them to kill, or, even to be-
hold the shedding human Blood. It was objected to
 them by the *Heathens*, that in their Meetings they
 murdered little Children, and did feast upon their
 Flesh and Blood. This, say the *Fathers*, is a thing
 impossible, because the *Christian Faith* doth not
 allow of *Murther*, or *Shedding human Blood.* †
 ‘ We are so far from killing Men, saith *Minu-*
 ‘ *cious*, that ’tis not lawful for us to behold *Man-*
 ‘ *slaughter.*’ || ‘ Can any Man, saith *Athenago-*
 ‘ *ras*, object to them that they kill Men, who, as
 ‘ they know, dare not see a Person justly slain?’
 ‘ ** It is in no Case lawful to destroy Men,

* Cùm puniunt deprehensos in Sacrilegio, ipsi de deorum suo-
 rum potestate diffidunt, cur enim illis non relinquunt ulciscen-
 di sui locum, si eos posse aliquid arbitramur? *Lact.* l. 2. c. 4.

† Nobis Homicidium nec videre fas, nec audire. *Min.* p. 34

|| Οὐδ’ ὅς τις ἴσασιν ἐδ’ ἰδέν, καὶ δικαίως φονδόμενον, ἰσχυ-
 ρησόντας, τῶν τὶς αὖ κατέποι ἢ ἀνδρῶν ἐξουσίαν, ἢ ἀνθρωποβο-
 ρίαν. *Athenag. Legat.* p. 38.

** Ergo si Homicidium facere nullo modo licet, nec interest
 se omnino conceditur, nè Conscientiam perfundat ullus cruor.
Lact. l. 6. c. 20. In hoc Dei præcepto nullam prorsus exceptio-
 nem fieri oportet, quin occidere hominem sit semper nefas,
 quem Deus sanctum animal esse voluit, *Ibid.* Neque accusare
 quemquam crimine capitali iusto licebit, quia nihil distat utrū
 ne ferro, an verbo potius, occisio ipsa prohibetur, *Ibid.*

‘ saith

faith *Lactantius*, or to be present where they suffer, lest the Blood stain the Conscience; there is no exception from this Precept, for it is always a Wickedness to kill that Man whom God hath made Sacred. A just Man therefore will accuse no Man of a capital Crime, it being all one to kill Men with our Words or with our Swords.' 'The Servant of the Lord, faith * *Tertullian*, may not judge in capital Causes, he may not condemn as a Judge or a Law-maker; he may bind, imprison, torture no Man. Will he, who doth not revenge his own Injuries, inflict on others Bonds, Prisons, Torments, Punishments?' 'If Christian Religion, faith † *Origen*, had received its Rise from Sedition, as *Celsus* faith, surely their Legislator would not have forbid them to kill Men, teaching, that Action was unjust which his Disciples did attempt upon the most wicked Person, *Mat.* 26. 52. for he perceived it unbecoming his divine Laws, any way to yield to the Death of a Man; nor would the Christians, had they had their Beginning from Sedition, admitted such mild Laws as give them up to be slain like

* *Fidelis neque judicet de capite alicujus, vel pudore, neque damnet, neque prædamnet; neminem vinciat, neminem recludat aut torqueat, Tertul. de Idololat. cap. 17, & 19. Et prælio operabitur filius pacis, cui nec litigare conveniet? Et vincula, & carcerem, & tormenta, & supplicia administrabit, nec suarum ultor injuriarum? De Coron. cap. 11.*

† *Εἰ σαῖς ἡ σὺς αἰτίας χειριστοῖς αἰτίας, — ἐκ αὐτῶν νομοθετῆς χειριστῶν πᾶν ἀνθρώπῳ ἀπὸ τοῦ νόμου, μή ποτε δίκαιον εἴδῃ διδάσκων τὸ κατὰ ἀνθρώπου τὸ πᾶν αὐτῶν μαθητῶν, καὶ ἀδικῶτα ἐκείνῳ — ἢ ὅτι πρὸς τὴν ἐν δίκῃ αὐτῶν νομοθεσίᾳ τὸ συγχωρεῖν ὅποιαν δὴ ποτε ἀνθρώπου ἀνείρισιν, ὅτ' αὖν χειριστῶν οἱ ἀπὸ σαῖς ἀρχαὶ μὲν, τὰς ἐπὶ τοῦτον ἡμῖς περὶ κατὰ νόμος δι' ὧν ὡς πρόβλεπα μὲν ἀναιρέσει αὐτοῖς ἐγένετο, μηδὲ ποτε ἀμύναδι οἷσι ἦσαν τὸς δίκαιους, Origen contra Celsum, l. 3. p. 115.*

' Sheep,

‘ Sheep, and will not suffer them to help themselves against their Persecutors, or to repel Injuries.

Let then our *Adversaries* judge whether these *Principles* can be consistent with the Doctrines of their general *Councils*, and with their Practice of burning and destroying all whom they call *Hereticks*, and binding *Christian Magistrates* to do so? Whether these *Fathers* do not expressly teach, that their Proceedings against *Hereticks* are *irreligious, inconsistent with Religion and Justice, opposite to the Episcopal Doctrine, ridiculous, absurd, and Matters of just Lamentation?* Whether they do not say, that their Severity in this kind is a *Conviction of their Folly*, and that they, by promoting it, do act *not like Christ's Bishops, but the Servants of Antichrist?* Whether they, who thought that *Men were to be left to their Freedom in Matters of Religion, and not to be compell'd by corporal Punishments to the Profession of it*, would have approved of the compulsory Decrees of *Roman Councils?* Whether they, who thought it unworthy of the *Christian* to call the *Secular Arm* to their Assistance, were of their Religion, who by Oaths and Excommunications, and other grievous Penalties, oblige the *Magistrate* to persecute? Whether they, who thought it utterly unlawful to shed human Blood, believed that *Christianity* allow'd the *Murdering of Hereticks*, or could approve those *sanguinary Laws* which they have executed throughout all *Regions* of the World, where their Religion hath prevailed, destroying many hundred thousand Souls only for keeping a good Conscience?

§. VII. Moreover, this Method of Exterminating *Hereticks* is condemn'd expressly by the *Holy Fathers*, and represented as a Practice fit only for the *Heathen* and the *Heretick*, but most unworthy of any *Orthodox Professor of Christianity*. ‘ We
‘ may

may hate them that hate God, saith the *
Interpolator of Ignatius, but we must not beat
 or persecute them, as do the Gentiles which
 know not God. We must separate from them,
 and admonish them, if haply they will hear and
 rest satisfied, for our God is a Lover of Man-
 kind, and would have all Men to be saved, and
 come to the Knowledge of the Truth; on
 which Account he causeth his Sun to rise up-
 on the evil and the good, and rains upon the
 just and the unjust; and, being desirous that we
 should imitate this his Goodness, *he saith*, Be
 you perfect as your heavenly Father is perfect :
 This is there spoken concerning *Schismaticks, false*
Preachers, Men of false Opinions, Foxes, and Cor-
rupters of the Vine, and therefore certainly of *Here-*
ticks. † *Lactantius* saith thus, ' Religion is to be
 defended, not by *killing*, but by *dying* for it, not
 by *Cruelty*, but by *Patience*; so good Men do
 defend it : But wicked Men, by *Cruelty* and *Mur-*
ther. If you go about, *saith he*, to defend *Reli-*
gion by *Blood* and *Torments*, you do not defend,
 but pollute and violate it.

The Holy Synod of *Alexandria*, consisting of
 the *Bishops* of *Ægypt, Thebes, Lybia, and Pentapolis*,
 lament the Practice of the *Arians*, who had di-
 rected an accusatory Epistle to the *Emperors*, which
 stirr'd them up to inflict *Death*, or at the least

* Τὰς μισήσας δὲ τὸ Θεὸν μισήν χρεῖ, — δὲ μὲν καὶ τὸ πλεον
 οὐτὸς ἢ δίδωκεν, καθὼς τὰ ἔθνη τὰ μὴ εἰδότες τὸ Κύριον καὶ
 Θεόν, ἀλλ' ἐκθρόνους μὲν ἡγήσαντο καὶ χωρίζοντες ἀπ' αὐτοῦ, &c. *Pseu-*
do-Ignat. Epist. ad *Philadelph.* Ed. Uss. p. 95.

† Defendenda est Religio, non occidendo, sed moriendo,
 non sævitia, sed patientia, — illa enim malorum sunt, hæc bo-
 norum, & necesse est bonum in Religione versari, non malum;
 nam si sanguine, si tormentis, si malo Religionem defendere
 velis, jam non defendetur illa, sed polluetur, atque violabitur,
Lact. l. 3. c. 20.

Banishment upon Athanasius, * ‘ This, say they, is just Matter of Lamentation, these being Works so averse from Bishops, who should teach others the way of Justice, that even the meanest Christians, and scarcely Heathens, would be guilty of them; and this the Conscience of you Catholick Bishops throughout the World, to whom we write, very well knows.

Athanasius, having declared how the *Arians* spake thus to *Constantius* the *Emperor*, † ‘ Thou seest how all Men desert us, few remaining, therefore begin a Persecution, that we be not deserted by those few: And speaking of the Influence this Persecution had upon some fearful *Bishops*, saith thus, ‘ If it were unbecoming Bishops to change their Opinion out of Fear, yet was it far worse for them to compel Men unwillingly to change their Judgments, and an Evidence that they distrusted their own Cause; this, saith he, is to act like the Devil, and un-

* Οὐ τὰ παρ’ Ἀθανασίου, ἀλλὰ τὰ παρ’ αὐτῶν γινόμενα ὁδὸν ρεῖναι χρὴ, πᾶσα γὰρ αὐτῶν ἐπιστολὴ εἰδὲν ἄλλο ἢ πρὸς θάνατον εἶναι, καὶ φοβεῖσθαι ἐπιχειρήσιν, εἰς ἀνταρξήσασθαι, καὶ ποιεῖν ἐξουσίας ταῦτα γὰρ ὅτι μηδὲ ψιλῶν χριστιανῶν ἔργα, ἀσπίδως δὲ καὶ ἐθελούως, μή τι γὰρ ἐπισκόπων δοκίμων, καὶ τὰς ἄλλας τὰ δίκαια διδάσκειν, σωροῦν, ὑμῶν δὲ ἐν Χριστῷ συνήδησιν, ἡγάμεθα. *Apud Athanasius. Apol. ad Imperat. Constant. p. 723.*

† Ὅπως πάντας ἀποστάντας ἀπ’ ἡμῶν, ὀλίγοι λοιπὸν ἀποληφθῆμεν, ἀρξαι δίοχην, ἔπειτα καὶ παρελθόντων ὀλίγων ἀφίμεθα, καὶ μόνον ἔτι ἡμεῖς. *Athanasius. Epist. ad Solitariam vitam agentes, p. 815.* Εἰ δὲ καὶ ἀπρεπὲς τὸ ὅλως ἐπὶ τέτοις φοβηδύνας τινὰς τῶν ἐπισκοπῶν μεταδέσθαι, ἀλλὰ μᾶλλον ἀπρεπὲς εἶναι, καὶ ἐκ δαρδύναντες πεπιδόκασι, τὸ βιάζεσθαι, καὶ ἀναγκάζειν τὰς μὴ βουλομένας ὅπως ὁ μὲν διαβολῇ, δεῖ ποῖα ἐν παιδῶ ἐνδεῖ βασιλείας φεβεῖ; ἢ ποῖα συμβουλία ἐν ἧ ὁ ἀνιλέγων τὸ τέλος ἐξουσιάζει ἔχει καὶ θάνατον; — αὐτὸς δὲ τὸ λόγον ἐκ ἔχων μετ’ ἐξουσίας πάντας βιάζεται. ἵνα δείχῃ πᾶσιν ὅτι ἡ φρονησις αὐτῶν ἐστὶ κατὰ Θεόν, ἀλλ’ ἀνθρωπίνῃ, pag. 830, 831.

like

like our Saviour, who never used Force, but Perswasion only, for the Truth must not be taught by Swords, and Weapons, and Soldiers; but by Perswasion and Consultation: Now what Perswasion is there where there is Fear of the King? What Consultation, where he that contradicts must suffer Banishment or Death? — by this Compulsion it appears, *saith he*, that their Wisdom is not according to God, but meerly human: * As for other Heresies, *saith he*, they being convinced by Demonstrations, are silent, and do nothing but blush at their Conviction; but this new and execrable Heresy of the *Arians*, when it is overthrown by Reason, when by Truth it is put to shame, it endeavours to draw them by Force, Stripes and Imprisonments, whom it could not persuade by Words, and so doth manifest it self to be nothing less than Pious; for it is the Property of true Religion not to compel, but to persuade, as we have said already: — For our Lord himself, not offering Violence, but giving place to human Choice, said to all, If any Man will come after me; and to his Disciples, Will ye also go away? This Heresy therefore which is perfectly repugnant to Piety, what should it do but that which is contrary to our Saviour? ' There are some things for which we must fight valiantly, *saith*

* Καὶ αἱ μὲν ἄλλαι αἵρεσις ἐλεγχόμεναι ἢ ἀποδείξουσιν ὑπὸ τῆς ἁλῆθειας σιωπῶσι, μηδὲν πλέον ἢ ἐντρέπεσθαι τοῖς ἐλέγχοις, ἢ ἢ νῆα καὶ μυστῶν τέλει αἵρεσις ὅταν ἀναλασθῇ τοῖς λόγοις ὅταν ὑπὸ τῆς ἁλῆθειας αἰσχυροῦσθαι πίστην, ἢ πὸν δὲ καὶ διδωλῆσαι πᾶσαι λόγοις, τέτρετ τῇ βίᾳ, καὶ πληροῦς, καὶ δεσπομολοίᾳς ἔλκειν ἐπιχειρεῖ, γνωρίζουσα ἑαυτῇ καὶ τὴν ὡς πᾶσι μᾶλλον ἐστὶ ἡ θεοσιβείας θεοσιβείας μὲν ᾧ ἴδιον, αὐτὴ δὲ πανηκῶς ἀλλοτρία τῇ θεοσιβείας, τί ποιεῖν αὐτῇ ἐν ἡλικίᾳ τῇ Σωτήρι. *Athanas. ibid. p. 855.*

The P R E F A C E.

*Gregory Nazianzen, viz. With Reasons, not
with Arms, for to lift up our Hands against
them (*that is against Hereticks*) is wholly con-
trary to our Profession, and must be left to
them who hate us.

Saint *Chrysostom*, in his Exposition of the Parable of the *Tares*, speaks thus, † ‘ Wherefore doth Christ introduce his Servants, saying, Wilt thou that we pluck up the Tares? *his Answer is*, That he might tell them that it was unlawful to cut them off. They permit not themselves, *saieth he*, to do this, but they expect the sentence of their Lord, saying, Wilt thou have it done? Now he forbids them, saying, lest you root up the Wheat together with them; and this he said, forbidding Wars, and Blood, and Slaughters to be made; for ’tis not lawful to cut off the Heretick, though he is like to bring an irreconcilable War upon Earth. *Again*, by these Words, Lest you root up, he either saith, that

‘ if you go about to wage War, and flay the Heretick, it will necessarily happen that you will destroy many of the Saints with them, or that it may so happen that many of the Tares may be converted, and become Wheat ; if therefore you prevent their being so, by rooting them up, you prejudice the future Wheat, by taking them away, who may be changed and become better. Christ here forbids us not to stop their Mouths ; restrain and hinder their Boldness of Discourse, dissolve their Synods and Confederacies ; but he forbids us to Kill, and cut them off. ’ In his Homily against *Anathema's*, he permits us to * *anathematize the Heresy*, but commands us by all means to *spare the Heretick* : If, saith he, *The Man remain contentious, and will not be reclaim'd, do thou only testify against him with Long-suffering and Goodness, that thy Judge require not his Life at thy hand, hate him not, persecute him not.*

Saint *Austin* vehemently condemns the inflicting capital Punishments upon *Hereticks*, and saith that *all good Christians* did agree with him in that matter. For when *Cresconius* had objected to the *Orthodox*, that they were instrumental to procure the Death of three *Donatists*, St. *Austin* answers, that † ‘ No good Man in the *Catholick*

* Τὰς μὲν αἵρέσεις διήλεγchon, ἢ ἀπέβαλλον, ὅθεν ὁ τῶν αἵρετικῶν ταύτῃ ἐπιμίαν προσηγον, Tom. 6. p. 441. τὰ δὲ αἵρετικά δόγματα ἀναθεματίζειν χρὴ, πάσαν δὲ φειδῶν ἀνδραπῶν ποιεῖσθαι. --- p. 443. Εἰ δὲ μὴ βέλῃ, ἀλλ' ἐμφοί φιλονεικῶν---διαμάχῃ μόνον μετὰ μαχεθυμίας. ἢ χρυσό-μιθ' ἵνα μὴ τὸ ψυχῶν αὐτῶ ἐκζητήσῃ ἐκ χειρὸς σὺ δὲ Κερίης, ag. 441. lin. 31. &c.

† Nullis tamen bonis in Ecclesia Catholica hoc placet, si- que ad mortem in quenquam, licet hæreticum, sæviatur, ne- que verò si longè è morte cujuslibet molestiis libido ulciscendi malum pro malo retribuatur, approbamus ; multo amplius dete-

' Church allowed the punishing of *Hereticks* with
 ' *Death*; and if the Lust of Revenge in any
 ' Person doth render *evil for evil*, we do not ap-
 ' prove of them, though their Punishments be
 ' much less than *Death*; much more do we de-
 ' test the *robbing* any of their private Goods, or
 ' taking away what belongs to them, though this
 ' be done for the procuring Unity: All these
 ' things displease good Men, they forbid, they
 ' hinder them as much as they can, judging
 ' them not laudable, but damnable.' In his Book
De fide & operibus, he complains, that, || ' Some
 ' considering the Precepts of Severity by which
 ' we are commanded to correct the Unquiet, to
 ' look upon the *Contemner* of the Church as an
 ' *Heathen*, to separate the *scandalizing Member*
 ' from the *Body*, do so disturb the Church's Peace
 ' that they endeavour, before the time, to pluck
 ' up the *Tares*, and, being blinded with this Er-
 ' ror, are rather separated themselves from the
 ' Unity of *Christ*.' Besides these Passages, he hath
 four several Epistles writ upon this very Subject
viz. the 127th to *Donatus*, Proconsul of *Africa*
 the 158th, 159th, to *Marcellinus* the *Tribune*; the
 160th to *Apringius*; in which we may observe,

stantes, si ex hac occasione, velut pro unitate conandi, co-
 cupita quis auferat aliena — hæc omnia displicent nobis, &
 prohibent, & cohibent quantum possunt, quantum autem non
 possunt, ferunt: et, sicut dixi, pro pace laudabiliter tolerant, non
 ea laudabilia, sed damnabilia judicantes, August. *contra Cresconium*
Grammat. l. 3. cap. 50.

|| Quidam intuentes præcepta Severitatis quibus admonemur
 corripere inquietos, ut Ethnicum habere Ecclesiæ Contemp-
 nem, à compage corporis membrum quod scandalizat avel-
 lere, ita perturbant Ecclesiæ pacem ut conentur ante tempus sepa-
 rare zizania, atque hoc errore cæcati, ipsi potius à Christi unitate
 separentur. August. *De fide & operibus*, cap. 4.

1. The thing which he most earnestly requests, viz. * 'That the *Hereticks* may not be Kill'd, 'that they may be so corrected as not to be 'cut off, *Ep. 127.*' that 'They may not be punished with Death, *Ep. 158.*' that 'The Sword 'of Justice might not shed their Blood, *Ep. 160.*'

2. Observe the Importunity with which he urgeth his Request, *desiring, admonishing, interceding, Ep. 160.* Yea, † 'beseeching them by the 'Name of *Christ*, not to inflict this Punishment 'upon them, *Ep. 127.* And by the Mercies of '*Christ Jesus*, that they would neither do it, nor 'permit it to be done, *Ep. 159, 160.*' Declaring his great Sollicitude for the Prevention of it, *Ep. 159.* And professing that 'The *Orthodox* had 'rather dye themselves, than that this Punishment should be inflicted on the *Hereticks.*'

3. Observe the Persons for whom he thus pathetically intercedes, viz. the *Circumcellians*, who cruelly had shed the Blood of *Catholicks*, and had confess'd before these very *Magistrates*, that 'they 'had killed * *Restitutus*, a *Catholick Presbyter*; put 'out the Eye, and cut off the Finger of *Innocentius*,

* Vos rogamus ne occidantur. Sic eorum peccata compeſce, ut sint quos pœniteat peccâſſe, *Ep. 127.* Pœna ſane illorum, quamvis de tantis ſcleribus confessorum, Rogo te, ut præter ſupplicium mortis ſit, *Ep. 158.* Tu ab eorum ſanguine, etiam propter Chriſtum, juridicum gladium cohibe, *Ep. 160.*

† Quod te per Jeſum Chriſtum, ne facias, obſecramus, *Ep. 127.* Obteſtor fidem tuam quam habes in Chriſto, per ipſius Domini Chriſti miſericordiam, ut hoc nec facias, nec fieri omnino permittas, *Ep. 159.* Per miſericordiam Chriſti obſecro, *Ep. 160.* Neceſſitate nobis impactâ & indiçtâ, ut etiam occidi ob iis eligamus, quàm eos occidendos veſtris judiciis ingeramus, *Ep. 127.*

* Comperi plurimos eorum de homicidio quod in *Reſtitutum* Catholicum Presbyterum commiſerunt, & de cæde *Innocentii* aliterius Catholici Presbyteri, atque de Oculo ejus effoſſo, & de Digito præciſo fuiſſe conſeſſos, *Ep. 159, 160.*

D

'another

‘ another *Presbyter*, *Epist.* 159, 160. they there-
 ‘ fore had deserved Death as *Murderers*, if not
 ‘ as *Hereticks*.

4. Observe the Reasons which moved him and
 others to be thus importunate, and with such Pas-
 sion to entreat these *Hereticks* might not be punish-
 ed with *Death*, viz. 1. † ‘ That they might not
 ‘ seem to be forgetful of *Christ*’s Command, to
 ‘ love their Enemies, and to pray for them, *Ep.*
 ‘ 127.’ 2. * ‘ Because this was that *Mildness*
 ‘ which became *Catholicks*, and which the Rules
 ‘ of *Christianity* required from them, commanding
 ‘ them not only to be gentle, but to make known
 ‘ their *Lenity* to all, *Ep.* 158, 159. 3. † Because
 ‘ the Person who inflicts, and the *Church* which
 ‘ permits these Punishments to be inflicted, would
 ‘ both have cause to fear the Judgments of God
 ‘ for this Cruelty. 4. * Because it was against
 ‘ their Conscience to allow of such Deportment
 ‘ towards these Men, *Ep.* 158, 100. 5. † Because
 ‘ they desired that these *Hereticks* and *Schisma-*
 ‘ *ticks* might not inevitably perish, but might have
 ‘ Time to repent of their Sins, *Ep.* 127. 6. *
 ‘ Because this harsh proceeding would deter the

† Ne obliviscamur quid nobis præceperit, pro cuius veritate
 ac nomine patimur, qui diligimus inimicos nostros, & oramus
 pro eis, *Ep.* 127.

* Non sufficit Apostolo monere ut mansuetudinem servare-
 mus, sed ut eam notam omnibus faceremus, *Ep.* 159.

† Time ergo nobiscum iudicium Dei Patris, & commenda
 mansuetudinem Matris, cum enim tu facis, Ecclesia facit, prop-
 ter quam facis, & cuius filius facis, *Ep.* 160.

* Propter conscientiam nostram rogo, *Ep.* 158. Ubi poni-
 mus ipsam conscientiam ne malum pro malo, qui passi sunt,
 reddidisse videantur, *Ep.* 160.

† Ut sint quos pœniteat peccasse, *Ep.* 127. Tu inimicis Ec-
 clesiæ viventibus relaxa spatium pœnitendi, *Ep.* 160.

* Si occidendos in his sceleribus homines putaveritis, deterre-
 bitis nos ne per operam nostram ad vestrum iudicium aliquid
 tale perveniat, *Ep.* 127.

‘ *Catho-*

‘*Catholicks* from seeking the Protection of the
 ‘*Magistrate* against such Men, *Ep.* 127. 7. †
 ‘Because the contrary Mildness was expedient
 ‘for the *Catholick Church*, and the Cause which
 ‘they pleaded was the Cause of the *Church*, which
 ‘they could not desert, *Ep.* 159, 160.’ Lastly,
 ‘* Because the Passions of the Servants of God
 ‘would be polluted and dishonoured by the Blood
 ‘of their Enemies, *Ep.* 158, 160.’ And this he
 tells us was the Judgment of a whole *Council* of
 his Brethren, this was obtained by the Complaints
 of many other *Bishops* upon Occasion of the Mur-
 ther of *Maximianus*, Bishop of *Vaga*, ‘that the
 ‘Cruelty of the *Donatists* should be punished, †
 ‘but not with capital Punishment, that *Christian*
 ‘*Meekness* might be preserved even towards the
 ‘unworthy.

If then the *Fathers* do assert that it is *Heathen-
 ish* to beat and persecute the Heretick, that it is that
 which Heathens scarce would do. That only wicked
 Men defend Religion by Cruelty and Torments, and
 that this way of defending it ought to be left to them.
 That they who endeavour to defend it by Blood and
 Torments, do pollute and violate it. That it is averse
 from Bishops and from all orthodox and pious Christi-
 ans to stir up Christian Emperors to inflict Banishment
 and Death on a Religious Account, and, contrary to
 our Profession, to lift up the Hand against the Here-
 tick. That it was worse to compel Men unwillingly
 to change their Judgments, than for others out of Fear

† Hoc Ecclesiæ Catholicæ expedire confessor, *Ep.* 159: Nec
 tamen sic Ecclesiæ causam defererem, *Ep.* 160.

* Ne passiones Servorum Dei Catholicorum, quæ prodesse de-
 bent ad exempla patientiæ, inimicorum suorum sanguine fœda-
 rentur, *Ep.* 158. *Ep.* 160.

† Non tamen Supplicio capitali, propter servandam, etiam
 circa indignos, mansuetudinem Christianam, *Ep.* 50. p. 220.

to do it. That this is *Diabolical*, unlike our Saviour, and an *Evidence* that they who do so, distrust their own Cause; and that their *Wisdom* is not according to God, but meerly human. That it is contrary to Religion, and to our blessed Saviour. That 'tis unlawful to cut off the Heretick, though he be likely to bring an irreconcilable War upon the Earth. That Christ himself forbids it, and that to do it is to be unmindful of his Precepts, and of the Rules of Christian Faith. That they who do so may expect their Judge should require their Lives at their Hands, and should inflict his Judgments on them, and on that Church which doth permit it. That no good Catholick allowed the Punishment of Hereticks with Death, or Deprivation of their Goods, or with Punishments much less than Death. That these things were not laudable, but damnable; and that it was against their Conscience to approve of them. That they who act thus against Hereticks, are Disturbers of the Church's Peace, and separate themselves from the Unity of the Church. Lastly, That they had rather dye themselves, than Hereticks should be slain. I say, they who assert these things sufficiently condemn the Church of Rome, the Practice of that Church, and the Decrees of her most General Councils in this Point.

§. VIII. Moreover this Severity was as repugnant to the Practice of the *antient Church*, as to the Principles of her renowned Doctors. For, 'we do not desire, (saith * *Lactantius*,) that any Man should worship our God against his Will, and if he doth not do it, we are not angry; we retain no Man against his Will in our Profession; for he who wants Faith and Devotion is unpro-

* Nos non expetimus ut Deum nostrum velint nolint colat aliquis invitus, nec si non coluerit irascimur, *Lact.* l. 5. cap. 20. p. 524. Nemo à nobis retinetur invitus, inutilis est enim Deo qui Devotione & Fide caret, cap. 19. p. 519.

fitable to God. The Synod of * Alexandria expressly saith, That Bands and Slaughters were things repugnant to their Church; that Athanasius never delivered up any one to the Tormentor; that the Prison was never troubled with any one sent thither by him; our Priesthood, say they, or, our Administration of things Sacred, as it hath always been, so is it now, pure, and sanctified by no other Blood but that of Jesus. And therefore when Cresconius the Grammarian, had objected to the Orthodox the Death of three Donatists, St. Austin answers, that no good Men in the Catholick Church allowed of the punishing Hereticks with Death, that they forbade and restrain'd it as much as they were able.

Contr.
Crescon.
Lib. 3. cap.
50.

† Sulpitius Severus doth inform us, that ' When the Heresies of the Priscillians sprang up, Idacius and Ithacius, thinking this Evil might be sup-

* Σφαγαὶ δὲ καὶ δισμοὶ τῆς ἐκκλησίας ἡμῶν ἀλλότρια, &c. Apud Athanas. To. 1. p. 724.

† Tum verò Idacius atque Ithacius acrius instare, arbitantes posse inter initia malum comprimi: sed parum sanis consiliis, N. B. seculares Judices adeunt, ut eorum decretis Hæretici urbibus pellerentur. Sulpit. l. 2. §. 62. Igitur post multa & fœda, Ithacio supplicante, elicitur a Gratiano tum Imperatore rescriptum, quo universi Hæretici excedere non Ecclesiis tantum aut urbibus, sed extra omnes terras propelli jubebantur. Ibid. Ubi Maximus oppidum Trevirorum Victor ingressus est, Ithacius ingerit preces plenas in Priscillianum & Socios ejus invidiæ atque criminum, --- ita omnes ad Regem deducti--- Idacius & Ithacius Episcopi, quorum studium in expugnandis hæreticis non reprehenderem, si non studio vincendi plus quam oportuit certassent; Ac mea quidem sententia est, mihi tam reos quam Accusatores displicere. §. 63. Tum Martinus apud Treveros constitutus non desinebat increpare Ithacium ut ab accusatione desisteret, Maximum orare, ut sanguine infelicium abstinere; satis superque sufficere ut Episcopali sententiâ Hæretici judicati, Ecclesiis pellerentur: novum esse, & inauditum nefas ut causam Ecclesiæ Judex seculi judicaret. Denique--- egregiâ autoritate à Maximo elicitur responsum nihil cruentum in reos constituendum. Sed postea Imperator per Magnum & Rufum Episcopos depravatus, & à mitioribus consiliis deflexus---censuit Priscillianum Sociosque ejus capitis damnari oportere.---ita Priscillianus Capitis damnatus est, unâque cum eo Felicissimus & Armenius-Latronianus quoque, & Eutrochia gladio

' pressed in the first Rise, went unadvisedly to the
 ' Civil Judges, desiring them to decree that the
 ' Hereticks might be expell'd the Cities. That
 ' when *Maximus* came to be Emperor, *Idacius*
 ' and *Ithacius* applied themselves to him against
 ' the *Priscillians*; on which account, saith *Sulpi-*
 ' *tius*, the Accusers displease me as much as the
 ' Guilty.' Moreover he informs us, that 'Saint
 ' *Martin*, a Man, saith he, to be compared to
 ' the Apostles, reproved *Ithacius*, advised him to
 ' desist from his Accusation, and desired *Maxi-*
 ' *mus* the Emperor to abstain from the Blood of
 ' the Hereticks, declaring, that it was sufficient,
 ' N. B. that being judged Hereticks by the Spi-
 ' ritual Sentence, they should be expell'd their
 ' Churches, and that it was a new and unheard of
 ' Wickedness, that a Secular Judge should deter-
 ' mine of the Cause of the Church, and that he
 ' obtained a Promise from *Maximus*, that nothing
 ' bloody should be done against them. That af-
 ' terwards the Emperor decreed, that *Priscillian*
 ' and his Companions should suffer capital Punish-
 ' ments, and that accordingly they did thus suf-
 ' fer; and so, saith he, Men most worthy to live,
 ' by a most vile Example, were either kill'd or
 ' exil'd.' He also doth inform us, 'That *Ithacius*,
 ' having procured this Wickedness, vainly with-
 ' drew himself from the Tryal of these Men.'
 In his third * Dialogue he informs us, that
 ' After the Death of *Priscillian*, *Maximus* the

perempti---itum deinde in reliquos sequentibus judiciis, damna-
 tique *Asarinus* & *Aurelius* diaconus gladio--- hoc ferè modo ho-
 mines luce dignissimi pessimo exemplo, N. B. necati, aut exiliis
 multati: ceterum *Ithacius* videns quam invidiosum sibi apud
 Episcopos foret si accusato, etiam postremis Capitalium rerum
 judiciis astitisset, subtrahit se cognitioni frustra, callido jam sce-
 lere peracto. §. 64.

* *Maximus* Imperator, aliàs sane bonus, depravatus Consiliis
 Sacerdotum, post *Priscilliani* necem, *Ithacium* Episcopum, *Pris-*

Em-

‘ *Emperor*, a Man otherwise good, being led aside
 ‘ by the Councils of some *Bishops*, did by his
 ‘ Kingly Power defend *Ithacius* and his Compa-
 ‘ nions from being accused for this Crime. And
 ‘ that some *Bishops* were met at *Treves*, who, by
 ‘ communicating daily with *Ithacius*, had made
 ‘ his Cause their own, and had obtained of the
 ‘ *Emperor* a Decree to send some *Tribunes* armed
 ‘ with the Sovereign Power, into *Spain*, to en-
 ‘ quire after the *Hereticks*, and to deprive them
 ‘ both of Life and Goods; that St. *Martin* la-
 ‘ boured with great Care to prevent the Mission
 ‘ of these *Tribunes* into *Spain*, with the Power of
 ‘ the Sword, as being piously solicitous not on-
 ‘ ly to preserve the *Christians*, but even the *Here-*
 ‘ *ticks* also from Death, and that, to accomplish
 ‘ this Work, he for a while consented to em-
 ‘ brace the Communion of *Ithacius*, and his Par-
 ‘ ty; that afterwards the good Man was trou-
 ‘ bled that he had communicated with them, and

cilliani accusatorem, cæterósque illius Socios, vi Regiæ tuebatur, ne quis ei Crimini daret, opera illius cujuscumque modi hominem fuisse damnatum,—congregati apud Treveros Episcopi tenebantur, qui quotidie communicantes *Ithacio*, communem sibi causam fecerunt. Et jam pridie Imperator ex eorum sententia decreverat Tribunos mittere, summâ potestate armatos, ad Hispanias, qui Hæreticos inquirerent, deprehensis vitam & bona adimerent—illa præcipua cura (*Martini*, sc.) ne Tribuni cum jure gladiatorum ad Hispanias mitterentur, pia enim erat sollicitudo *Martino*, ut non solum Christianos qui sub illa erant occasione vexandi, sed ipsos etiam hæreticos liberaret—spondet si parcere-
 tur se communicaturum (cum *Ithacianis*) dummodo ut & Tribu-
 nis jam in excidium Ecclesiarum ad Hispanias missi retraherentur—satiùs æstimans ad horam cedere, quam his non consulere quorum cervicibus gladius imminabat: postero die se inde proripiens cum mœstus ingemisceret se vel ad horam noxiæ communioni fuisse permixtum;—astitit ei repentè Angelus. Meritò inquit *Martine* compungeris, sed aliter exire nequisti, repara virtutem, resume constantiam nè jam non periculum gloriæ sed salutis incurreris, itaque ab illo tempore satis cavet cum illa *Ithaci-*
anæ partis communionem misceri, *Dial.* 3. §. 15.

‘ that an Angel appeared to him, and told him
 ‘ he had just Cause to be sorry for what he had
 ‘ done, and that he should repair his Vertue, and
 ‘ reassume his Constancy, lest he incurr’d the Loss
 ‘ not only of his Honour, but Salvation, and
 ‘ that from that Time St. Martin would never any
 ‘ more communicate with the *Ithacian* Party.’

|| *Ad An.* || *Baronius* confesseth, that *Pope Syricius* did also re-
 386. §. 27. fuse Communion with *Ithacius* and his Party upon this
 Account, and wrote Letters against them. St. † *Ambrose* also saith, that ‘ he abstained from the Com-
 ‘ munion of those who desired the Death of He-
 ‘ reticks.’ The * *French Bishops* also refused Com-
 munion with *Felix*, as being made a *Bishop* by
 them, and the Council of *Turin* gives Leave to any
 so to do. || *Binus* confesseth, that *Theognostus*, and
 other *Bishops* of the † *Catholick* Communion, ‘ did
 ‘ excommunicate *Ithacius* with his Companions on
 ‘ this Account, as sanguinary, bloody, and un-
 ‘ worthy of the Priesthood.’ * *Baronius* and *Spon-*
danus treating of this Example, ingenuously con-
 fess, that ‘ not one of the Holy Fathers did al-
 ‘ low, that Ecclesiastical Persons should procure the
 ‘ Punishment of Hereticks with Death, or move
 ‘ the Civil Magistrate to do it; but that they

|| *Not. in*
Concil.
Treuer.
An. 386.

† Cum videret me abstinere ab Episcopis qui communicabant
 ei, vel qui aliquos, devios licet à fide, ad necem petebant, *Ambros.* Ep. 27.

* Illud decrevit preterea Sancta Synodus, ut quoniam Lega-
 tos Episcopi Galliarum, qui *Felici* non communicant, destinā-
 runt, si quis se ab ejus communione sequestrare velit, in no-
 stræ Sanctæ pacis consortium suscipiatur, *Concil. Taurin. cap. 5.*

† *Ithacius* & *Ursatius*, Episcopi, ob necem *Priscilliani*, cujus
 Accusatores fuerunt, Ecclesiæ communione privantur, *Prosper.*
Chronic. ad A. D. 389. Isidor. de viris illustribus, cap. 2.

* Nondum enim de Episcopo aliquo auditum in Ecclesia Dei
 erat de Sontibus pœnam sanguinis exegisse, *Baron. ad An. 385.*
 §. 29. & rursus, nullus Sanctorum Patrum laudavit id posse fieri
 suggestione Sacrorum Antistitum, *Ad An. 386. §. 27.*

‘ vehc-

‘vehemently dehorted them from it; and therefore they excuse the Practice of their *Church*, their *Pope*, *Bishops* and *Councils*, by telling us that * in the *Catholick Church* it is the Custom, that ‘when any one desireth the Assistance of the *Civil Magistrate* against *Hereticks*, that he may not seem to be a Follower of the *Ithacian* Party, he first advisedly makes this Protestation, that he so desires the Correction of these incorrigible Delinquents, as to intreat their Blood may not be shed.’ And *Binius* adds, ‘that † *Ithacius* was condemned because he desired that *Hereticks* might be punished with Death, without the Interposition of this Protestation.’ Now this is such a Piece of *Diabolical Hypocrisy* as doth not in the least excuse, but highly aggravate their Crime. The *Hypocrisy* and Prophanation of God’s holy Name, which by these Writers is stiled *The Protestation used by the Catholick Church*, is this, When they deliver the condemned Person to the *Civil Magistrate*, the *Bishop* or *Inquisitor* having delivered him, speaks thus, * ‘Sir, We passionately desire you, for the Love of God, and in regard of Piety, Mercy, and our Mediation, you

* Unde in Ecclesia Catholica usu receptum est, ut cum quis expetit a Secularibus Magistratibus opem aduersus impios, ne Ithacianæ partis Sectator esse videatur, contestationem illam consulte præmittat, sic se correctionem expetere incorrigibilium delinquentium, ut tamen citra pœnam sanguinis puniantur, *Sponan. Ep. ad A. D. 385. p. 513, 514. Baron. ad A. 386. §. 23.*

† *Theognostus*, alique Catholicæ communionis Episcopi, *Ithacium* cum Sociis — excommunicarunt, quia sæuius agens, in eodem pœnam capitis procurâisset, solitamque Interpositionem non interposuisset, quâ se Delinquentium incorrigibilium correctionem sic expetere declararet, ut tamen a Sanguinis pœna absterneretur, *Not. in Concil. Trevir. A. D. 386.*

* Domine Iudex, rogamus vos cum omni affectu quo possumus, ut amore Dei, & Misericordiæ intuitu, & nostrorum interuentu precaminum miserrimo huic nullum mortis vel mutilationis periculum inferatis, *Pontif. Rom. Romæ, 1611. p. 456.*

‘would

‘ would free this miserable Person from all Danger of Death or Mutilation of Members ; ’ but notwithstanding all this seeming Piety and Tenderness, when they have sentenced an *Heretick* to Death, they require the * ‘ *Magistrate* to execute that Sentence within Six Days, upon Pain of Excommunication, Deprivation, and Loss of Authority and Offices, ’ saith the Constitution of *Innocent* the Eighth ; *Within five Days*, saith the Constitution of *Innocent* the Fourth ; *he must presently take him into Custody for that end*, saith the Constitution of *Clement* the Fourth. Their *Popes* have approved and confirmed the *Decrees* of *Emperors, Kings, Dukes* and other *Civil Governours*, which command them to be put to Death ; they have decreed, that the Punishment of *Hereticks* shall neither be relaxed nor delayed ; that the *Magistrate* shall execute the Sentence without revising of the Justice of it ; that he shall take an Oath to execute it : Nay, both their *Bishops, Popes* and *Councils*, since the *Twelfth Century*, have been continually employed in instigating others to destroy and to cut off the *Heretick*, and raising Armies of *Crusado’s* to that end ; all which is fully proved in the ensuing Book. Yea, their own Writers do ingenuously confess, that *this Intercession in behalf of the condemned Heretick, is in the common Opinion barely a Colour ; that it is verbal, not effectual* ; for the Criminal is delivered to the *Secular Power* for this very end, that he may dye. And the † *Magistrate* ought to punish him. Let therefore any reasonable

* *Infra Sex dies, sine aliqua processuum visione Sententias latas prompte exequantur, sub Excommunicationis pœna, aliisque Censuris, Innoc. 8. Const. 10. Bullar. Rom. To. 1. p. 337.*

† *Magistratus secularis quemcunque Hæreticum sibi a Judicibus fidei traditum debet ultimo supplicio afficere, Vide R. Episc. Lincoln. Brutum Fulmen. p. 207, 208.*

Person judge, whether their Practice in this Kind be not most gross *Hypocrisy*, *Self-Condernation*, and *Profanation* of God's Holy Name; and whether this will in the least excuse them from being *Partis Ithacianæ Sectatores*, or, *Followers of the Example of Ithacius*?

§. IX. *Objection*. But saith the querulous Dissenter, Is there no other *Church*, or Person, concern'd in this Example, besides that of *Rome*? Know you of no Decree or Edict elsewhere, *ut Sulp. p. 467.*
exilio multarentur Priscilliani? Was there never any Supplication made to *Gratian* by some *Ithacius*, *p. 474.*
Ut universi Hæretici non Ecclesiis tantum, aut Urbibus, sed extra omnes Terras propelli juberentur? Was there never any other *Emperor*, *aliàs sane bonus, per Magnum & Rufum Episcopos, a mitioribus consiliis deflexus?* *607.*

Ans. I know that Mr. *Baxter*, and some other *Nonconformists*, speak much of our *Ithacian Prelates*, but, had they found them such, they would not have been here to make such Tragical Complaints against them without Cause: Sure I am, that our *Lords Spiritual and Temporal in Parliament assembled*, have sufficiently declared against this persecuting Spirit on the account of Religion, by their full Approbation of, and *Thanks returned to the Lord Bishop of St. Asaph, for his Sermon preach'd before them, Nov. 5. 1680, and their desire that he would print and publish that Sermon,* in which, first, he lays down this Position, *viz. p. 9.*
 ' That of Societies of Men, Christians, of all
 ' other, are more averse from Ways of Violence
 ' and Blood, especially from using any such Ways
 ' on the account of Religion; And, among Christian Churches, where they differ among themselves, if either of them use those Ways upon
 ' the account of Religion, they give a strong
 ' Presumption against themselves, that they are
 ' not

' not truly Christian. The Reason is, because
 ' *Christ* gave Love for the Character by which his
 ' Disciples were to be known, *John* xiii. v. 35.
 ' And lest Men should unchristian others first,
 ' that they may hate them, and destroy them
 ' afterwards, *Christ* enlarged his Precept of Love,
 ' and extended it to Enemies, and not only to
 p. 12, 13. ' ours, but the Enemies of our Religion, *Matt.*
 ' v. 43, 44.' Secondly, He adds, ' That by this
 ' we may usually judge who they are that excel
 ' among Christian Churches, when there happens
 ' any Difference between them, whether touch-
 ' ing the Faith or the Terms of Communion;
 ' they that were the more fierce, they generally
 p. 14. ' had the worst Cause, as, v. g. the *Nicene* Coun-
 ' cil suppress'd the *Arians* by no other Force but
 ' putting *Arians* out of their Bishopricks; they
 ' could not think *Hereticks* fit to be trusted with
 ' the Care of Souls, but otherwise as to tempo-
 ' ral Things, I do not find that they inflicted
 ' any kind of Punishment; but when the *Ari-*
 ' *ans* came to have the Power in their Hands —
 ' then Depriving was nothing, Banishment was
 p. 37. ' the least that they inflicted. Thirdly, That he
 ' would have no Man punished for his Religion,
 ' no not them that destroy Men for Religion.
 p. 20. Fourthly, he saith, ' That neither our Religion
 ' nor our Church, is of a persecuting Spirit, she
 ' hath no Doctrine that teacheth Persecution.
 ' *N. B.* She hath not practised it as others, when
 ' they were in Authority. I thank God for it,
 ' and I hope she will always continue in the
 ' Temper; which being added to the other Marks
 ' of a true Church, may assure us, she is a
 ' Church according to the Mind of *Christ*, ' The
 same is in effect declared by the *House of Commons*
 when they returned their Thanks to *Dr. Tillot-*
son, Dean of *Canterbury*, for his Sermon preached be-
 fore

fore them, Novemb. 5. 78. desiring him to print that Sermon; where, having laid down the Example of our Lord, he adds, 'That in Imitation of p. 13, 14. this blessed Pattern, the Christian Church continued to speak and act for several Ages; and this was the Language of the Holy Fathers, *Lex nova se non vindicat ultore gladio*, The Christian Law doth not avenge it self by the Sword; This was then the Style of Councils, *Nemini ad credendum vim inferre*, To offer Violence to no Man, to compel him to the Faith; adding, p. 19. That to separate Goodness and Mercy from God, Compassion and Charity from Religion, is to make the two best Things in the World good for nothing. And, p. 30. That true Christianity is not only the best, but the best-natur'd Institution in the World, and so far as any Church is departed from Good-nature, and become cruel and barbarous, so far is it degenerated from Christianity.' We have indeed a Statute about Banishing Dissenters, but no *Ithacius*, that I know of, who ever supplicated for the Making, or for the Execution of it, but only for Retaining of it, as a due Curb for Men too prone to Faction and Sedition. And so it lies still dormant in the Hands of his most Gracious Majesty, and may it ever do so.

§. X. This Treatise serves to justify us in, and to provoke us to the use of any lawful Means for the avoiding of these Punishments. They who exhort us in this Exigence to trust to Providence, must know, That Providence doth not exclude, but rather doth require and suppose the use of any honest Means for the Prevention of impendent Dangers; for we can have no Reason to expect that Providence should supernaturally engage for the immediate Accomplishment of that which may be done by Divine Blessing upon ordinary Means. First, there-

therefore, we must use the Means, then pray, That Providence would bless and countenance, and render prosperous our just Endeavours in this kind; and when we have performed our utmost to prevent Dangers in a lawful Way, and find that our Attempts prove frustrate, then only is the Time to trust to Providence without subordinate Endeavours.

Now what Means may be lawfully pursued, according to the Constitutions of this Kingdom, for the preventing this aboding Evil, *Divines* should not presume too nicely to determine, who do then chiefly deviate, when they do meddle *extra Sphaeram Theologiae*; it rather doth become them to leave this Matter to those Persons whose Business and Office it professedly is to be skilful in the Laws, and who may rationally therefore be presumed Men better qualify'd to pass a Judgment in this Case. This, notwithstanding, I may safely say, That what no Law of Nature or positive Command of God forbids, may lawfully be done, and is expedient to be done, for Preservation of the Souls and Bodies of a whole Community, and their succeeding Generations, from the worst of Evils.

§. XI. 3. This Treatise may be useful to quicken us, by a due Apprehension of this so barbarous Religion and inhuman Doctrine, to labour to prevent it by our most serious Reformation, and most importunate Addresses to the Throne of Grace: or, if the Providence of God sees fitting, for the Punishment of our Iniquities, to give us up to this tremendous Judgment, to let us see what need we shall then have of the most perfect Patience and undaunted Courage, the most unshaken Faith and stedfast Resolution to undergo the fiery Trials, to which we may expect to be exposed, if we continue firm to our Religion. For

if the Providence of God should, for our crying Sins, permit our *lawful Prince* to be perverted to the *Roman Faith*, and poisoned with these bloody Principles, I declare to all the World, that *Christianity*, and our own *Oaths* both of *Allegiance* and *Supremacy* engage us, upon Pain of everlasting Ruin, not to lift up our Hands against him; that all who do resist him, must *resist God's Ordinance*, and Rom. 13. so *receive Damnation to themselves*; that all who use 1, 2. the *Sword* without Commission from him, take it, and *they who take it*, though in Defence of me, saith Matt. xxvi. *Christ, shall perish by it*. In this Case therefore I 52. freely do acknowledge with * *L'Estrange*, we have Character no other Choice before us, but either to suffer of a Papist, &c. the highest Degree of Misery that can befall us P. 3. in the World, or else to prostitute our Souls for the saving of our Lives and Fortunes; and I do make with him this publick Profession to the World, *That, though, I have as little Mind to be un-* P. 13. *der the Government of an English Papist as any Mortal, and would do all that I could justify as a Christian and an honest Man to avoid it, yet, since I can no more chuse my Governor than my Father, and that I may as well renounce my Duty to the one upon the score of Religion, as to the other, I am resolved to pay the Duty of a Subject to what (Legal) Prince soever the all-ruling Providence of God shall set over me, and patiently to suffer, where I cannot conscienti-*

* Let the Reader determine, whether these Flights of Passive Obedience were owing to the Run of the Times, or to the Political Caution of not offending the Powers then in Being, or to the single Authority of Sir Roger L'Estrange as here cited, or to the real Opinion of the Author, meaning the Non-Resistance of himself and other private Persons, as to *Mutinies* and *Insurrections* here expressly restrain'd, without entering into the Cause of a National Defence of our Legal Constitution. It is enough here to observe, that this Writer did soon after conscientiously comply with the Revolution.

ously obey. And I conjure all reformed *Christians*, if ever they lie under these unhappy Circumstances, not to blaspheme their Holy Calling, or cast a Scandal on the *Reformation*, by any Mutinies or Insurrections against *God's Vicegerent*, which will assuredly incense the Wrath of God still more against them, prolong their Miseries, and make their temporal Calamities be a sad *Prologue* to eternal; but that they would resolve to suffer as becometh *Christians*, and to commit their Cause to him that judgeth righteously.

§. XII. 4. This Treatise may be instrumental to prevent being gull'd and deluded by fair Words and specious Promises, and by vain Hopes of Freedom from these dreadful Miseries, if this Religion should prevail; there being nothing in the World more inconsistent with the avowed Principles of *Popery*, nothing more contrary to the continual Practice of that *Church*, and to the Oaths and Obligations of the Members of it, than to permit the *Heretick* to scape these sad and direful Effects of their inhuman Cruelty. And whatsoever *Prince* neglects to execute these Punishments on any other score but those of Policy, must solemnly condemn the Constitutions of those *General Councils* which are the sole Foundations of his Faith; he must believe the *Church of Rome* not only Fallible, but False in her Determinations, and guilty of more Murther and Barbarity, than all the *Heathen Emperors* were guilty of in the Ten *Persecutions*. He must continue in, and own that *Church* to be the only *Church of Christ*, which yet he doth believe to be the vilest *Church* on Earth, and guilty of the greatest Crime imaginable.

Ibid. p. 42,
43.

Mr. *L'Estrange* takes care to tell us, That *Henry the Fourth of France* did not exercise one Act of Tyranny over his Protestant Subjects. But he forgot to tell us, that he was first deposed, and then

stab'd

stab'd for his Remissness in that matter: He was Spond.
 twice deposed by Gregory the fourteenth, A. D. ^{To. 2.}
 1591. by Clement the Eighth, A. D. 1592. as be- ^{p. 868. §. 4.}
 ing a Favourer of Hereticks, and, by the continual ^{p. 875. §. 4.}
 Rebellions and Defections of his Roman Catholick
 Subjects, he was forced, for Quietness sake, to
 turn Papist, A. D. 1594. And yet, because he
 was indulgent towards Hereticks, his Life was at-
 tempted the same Year, by John Castel, belong-
 ing to the Jesuits; by a Monk, A. D. 1600. and
 he was at last stab'd by Raviliac.

And, because others frequently object the like
 Example of the Indulgence of the French King
 towards the Hugonots, to what I have already an-
 swered, Section the Nineteenth of this Treatise,
 I add, 1. That from the beginning of the Thir-
 teenth, till the middle of the Sixteenth Century,
 all Europe hath scarce equall'd the Severity of
 France for Persecutions of this kind, or Frequency
 of Councils making Laws for the Destruction of
 the Hereticks, as in this Treatise you will find.

2. The Author of *The Policy of the Clergy of France* ^{p. 13.}
 informs us, That their Princes have not lost the De- ^{Since my}
 sign of destroying Hereticks, though Prudence hath obli- ^{writing of}
 ged them for the present to suspend it, because it could ^{this the}
 not be done by them without great Danger. And ^{French}
 King hath
 Bellarmin himself will grant, *Non esse Hereticos* ^{answered}
Bello petendos quando sunt fortiores nobis; That He- ^{this Obje-}
 reticks may be spared when they are stronger than ^{ction with}
 the Roman Catholicks, and it is to be feared that ^{a Venge-}
 more of them might perish than of us: And this ^{ance.}
 all the Lenity that ever was allowed by the
 Church of Rome towards the Protestant. If any
 Man can shew me, 1. That any of the Laws
 were mentioned have been condemned, abroga-
 ed or relaxed by the Church of Rome, or the French
 Church. 2. That any Princes have been blamed
 or, or in the least deterred by any of her Pre-

The P R E F A C E.

lates from executing of those Laws, or even exempted from that Oath, which, saith the *Pope*, doth bind them to extirpate *Hereticks*, or that by any *Council* of the *Roman Church* they ever were permitted to neglect the Execution of them, or that from the Thirteenth to the Sixteenth Century, any *Prince* escaped the Censures of the *Church* who did neglect to execute them. 3. That any *Country* or *City* hath been rejected from Communion with that *Church* for *Massacring Protestants*, and Killing many *Myriads* of them in cold Blood. It, 4. It can be made appear, that the same *Principles* which do oblige them to receive other Articles of Faith determined by those *Councils*, do not oblige them to the Execution of the *Decrees* established by the same *Councils*, or others equally obliging. If, lastly, there be no design on foot for the *Destruction and Extirpation* of a pestilent *Heresy* which hath long reigned in the North of Europe. If these Things can be evinced, then may we have some little Hopes of being kindly dealt with by a *Popish Prince*, though he were zealous to a *Miracle* for Propagation of the *Roman Faith*, and had it in his Power thus to purge his Territories from *Heretical Pravity*.





A

DISCOURSE

Concerning the

L A W S

Ecclesiastical and Civil

MADE AGAINST

HERETICKS

BY

POPES, EMPERORS, &c.



ANY of late have excellently discoursed of those Doctrines of the *Romish Faith*, which, when believed and practised, must be highly prejudicial to, or be sufficient to disturb all Civil Governments; and have demonstratively proved, that Men whose Consciences are guided by the *Romish Casuists*, or who

have heartily embraced the *Principles* of that *Religion*, can give us no Security that they will not disturb the Government by which they are protected: But few (if any) have of late made it professedly their Business to speak of what may be expected by such as they are pleased to call *Hereticks*, when they are so unhappy as to be subject to a *Prince* who hath embraced the *Romish Faith*, and to a *CLERGY* which doth own the *Principles* of that *Communion*; which being in this present Juncture of Affairs a most important Subject, I hope it will not seem either unreasonable or unprofitable to discourse briefly on that Head. Now what such Persons may expect to suffer, we may learn from what already hath been decreed by them concerning *Hereticks*, and what they have already practised.

§. I. The *Laws Ecclesiastical and Civil* made against *Hereticks* by *Popes, Kings, Emperours* and *Councils*, may be reduced to these Heads; 1. Laws made for the Preservation of the Members of the *R. Church* from falling into that which they call *Heresy*: 2. The Laws made for the Discovery of *Hereticks*, their Favourers, Abettors, or such as they suspect to be inclinable to *Heresy*; now they are either such as do empower Persons to be active in enquiring after them, and do encourage them to make Discoveries of this Nature, or such as lay an Obligation on them to be diligent in making these Enquiries and Discoveries, and upon others to assist them in so doing. Or, 3. Laws which concern the Punishment of *Hereticks* discovered so to be, and the Engagement which they lay upon Men to execute these Punishments upon them.

§. II. And, 1. So conscious are the *Romish Prelates* of the gross Absurdity and the apparent Folly of their own Doctrine, and the plain Contradicti-

ons that it bears, in many of its *Articles*, to Scripture and the clearest Reason, that they dare not permit the meanest Members of their Church to look into the *Scripture*, or make inquiry or Search into the *Articles* of their Faith, or trust a Child of twelve Years old without an *Oath* to bind him firm unto their *Superstitions*.

And therefore, 1. It hath been decreed by many of their Councils, *That all Males at fourteen, and Females at twelve Years of Age, shall abjure all Heresy extolling it self against the Holy Catholick Roman Church, and Orthodox Faith; and shall swear also, That they will hold the Catholick Faith which the Roman Church teacheth and holds.* This is determined by a Council of many Bishops and Prelates met at *Toulouse in France, A. D. 1229. Can. 12.* by a Council held at *Beziers, A. D. 1246. Can. 31.* by a Council of many Bishops and Prelates held at *Alby in France, Can. 11, 12.* Moreover, this *Oath*, by the Decrees of the Council of *Toulouse* and *Alby* is to be renewed upon them every two Years. And, ' All that do come in and confess their *Heresy*, ' must take the same *Oath*, saith the Council of *Beziers, Can. 5.*

2. ' All Consuls, Governours of Castles, Authorities and Barons, must be compelled by Ecclesiastical Censure to abjure Hereticks, with the Favourers and Abettors of them, saith the Provincial Council of *Narbon, Can. 15.*

3. ' No Layman upon Penalty of Excommunication, must dispute publicly or privately touching the Catholick Faith, saith *Nicholas the Third, Bullar. Rom. To. L. Const. 2. §. 19.*

4. ' No Layman must have any Books of the Old or New Testament, except the *Psaltery*, the *Breviary*, and the *Hours of the Blessed Virgin* (three New Testament Books of the Roman Edition) ' any of which they must by no means have

‘ in the *Vulgar Tongue*, faith the *Council of Tolouse*,
Can. 14.

And surely such unworthy Arts do give just Reason to all considering Persons to suspect the Truth of that *Religion* which needeth thus to be supported by *Oaths* and *Abjurations* made by *Children*: by stopping of Mens Mouths, and not permitting them to ask that *Reason of their Faith* which all Men are obliged by their *Christianity* to be in readiness to give to all that ask it; and by withholding of those Scriptures of the Old Testament which are able to make them wise unto Salvation; which by the Law of *Moses* were to be continually read unto, continually talk’d of by the People; to which they, by the *Prophets*, were advited to go, and by which to pass Judgment on those who spake unto them of religious Matters; which our Lord doth enjoyn them both to hear and search; as also his Apostles did, commending them who from their Youth had known, and who upon occasion search the Scriptures; and also those of the *New Testament*, which were on purpose writ in the most vulgar Language of the *World*, that all might know them, and in great Plainness of Speech, that they might understand them; and which were left to be a Rule of Faith and Manners to all succeeding Generations, which the *Primitive Fathers* do vehemently commend to the perusal of all *Christians*, and which the *Heathen Persecutors*, as fiercely as the *Roman Catholicks*, did strive to wrest out of their Hands.

§. III. 2. If notwithstanding all this Care to keep them ignorant and blind, some by the Strength of natural Reason and Religion, and others by conversing with Men of better Principles, or reading that so pestilent, and therefore carefully forbidden Book, the *Word of God*, come to the Knowledge of his Truth, and be convinced of

1 Pet. iii.

15.

2 Tim. iii.

15.

Deut. vi. 7.

Esa. viii.

20.

Joh. v. 39.

2 Tim. iii.

15.

Act. xvii.

11.

2 Cor. iii.

12.

of the *Superstitions* and *Follies* of the *Roman* Doctrines, and so become, according to their Notions, *Hereticks*. 1. All imaginable Care is used that they may not escape their *Hellish* Cruelty, nor find a Corner in *Villages* and *Woods*, above or under Ground, which may preserve them from their Fury. And therefore,

2. For the better discovering and apprehending of *Hereticks*, and those who favour and abett them, or are suspected of these Matters, they have these following Persons authorised for that Work.

1. *Inquisitors of Heretical Pravity* constituted by his Holiness for that End, v. *Leg. Fred.* 2. *All Archbishops and Bishops in their respective Provinces and Diocesses, with their Officials and Vicars.* And,

Concil To. XI. p. 619. The Bull of Martin the Fifth, published with the Consent

and Approbation of the general Council of *Constance*, begins thus, *Martinus Episcopus— Archiepiscopis, Episcopis ac Inquisitoribus Hereticæ Pravitatis ubilibet constitutis.* Bin. To. 7. p. 1119.

3. *Abbots within their Precincts.* And,

4. For the Assistance of these Persons, 'every Governour or Magistrate throughout *Lombardy* and *Italy* is bound to keep twelve honest Men, two Notaries, and as many Servants as the Bishop, or two of the Brethren Inquisitors shall think fit, who shall be bound to search after, apprehend *Hereticks*, or bring them within the Power of the *Diocesan*, or his *Vicars*, and to require all Persons to assist them in so doing.' *Constit. Innocentii Quarti,*

Concil. To. XI. p. 605. Bullar. Ro. To. 1. p. 173.

cap. 3, 4. Clem. 4. Const. 13. Leg. 3.

These are the Persons authorised by as good Authority as the Court or Church of *Rome* hath any, to discover and apprehend the *Heretick* and his Abettors. And their Commission is exceeding large. For,

§. IV. 1. ' If the *Bishop*, his *Vicar*, the *Inquisitor*, or these twelve *Officers* require it, the *Magistrate* must assist them in enquiring after, taking and spoiling *Hereticks*, by sending Soldiers with them; this must be done by *Cities*, under the Penalty of 100 Pounds, by *Villages*, under the Penalty of 25 Pounds. *Const. Innoc. IV. cap. 19.* By the Constitutions of *Clem.* the Fourth, every Governour and private Person is bound to assist the *Inquisitors* and *Officials* of the Bishop and his *Visitor* to apprehend *Hereticks*. *Const. 13. L. 18.*

Concil. To. XI. p. 606.

Bullar. Ro. To. I. p. 174.

Concil. To. XI. p. 608.

Ibid. p. 428.

Vide simile Statutum H. Chicheley, Cant. Archiepiscopi, ed. A. D. 1416. Spel. Concil. To. II. p. 672.

Ibid. p. 694.

p. 2341. To. XIII. p. 325.

2. ' They also have Power to compel all the Neighbourhood to swear, that if they know of any *Hereticks*, or any that keep *secret Conventicles*, or any that believe, defend, receive or favour *Hereticks*, they will endeavour to give notice of them to the *Inquisitors* appointed by the *Apostolick See.* *Const. Innoc. IV. cap. 30.* The Council of *Toulouse*, *Can. 1.* decrees, ' That the *Archbishops* and *Bishops* shall, in every *Parish* within their *Cities*, and without, bind one *Priest*, and two or three honest *Laymen*, or more, if that be needful, by their Oaths, that they will diligently, faithfully and frequently enquire after *Hereticks* in the said *Parishes*, by searching any Houses or subterranean Receptacles that may give Suspicion of them; and if they find any *Hereticks*, *Believers*, *Favourers*, *Receivers* or *Defenders* of them, they will secure them, that they may not fly, and then with all speed give Intimation of them to the *Archbishop*, *Bishop*, *Lord* or *Bailiff* of the Place.' This Decree is renewed by the Provincial Council of *Beziers*, held *A. D. 1246.* *Can. 34.* by the Council of *Alby*, *Can. 1.* p. 722. by the Council of *Arles*, *A. D. 1234.* *Can. 5.* the Council of *Saltzburg*, held *A. D. 1420.* commands ' all Persons, under the Penalty of Excommunication, and eternal Death,

‘ as soon as they know that any *Heretick* is in their
 ‘ Territories to reveal them to their *Superiors*;
 ‘ and all *Magistrates*, when the *Inquisitors* give no-
 ‘ tice of them are bound under the same Penalty
 ‘ to apprehend, imprison and deliver them to the
 ‘ *Inquisitors*, *Can. 32.* And by the Constitutions
 of *Nicholas the Third*, directed to all *Christians*, Bul. Rom. To. 1. p. 182.
 they are liable to *Excommunication*, who neglect to
 do so.

3. ‘ The Lords of Territories must be sollici-
 ‘ tous to enquire after *Hereticks* in their Houses Concil. To. XI.
 ‘ and Woods, and to destroy their Hiding-Places. part. 1. p. 449.
Concil. Tolouse, Can. 3. Stat. Raimundi, Com. To. 449.
Concil. Albiense, Can. 4. p. 723. ‘ They p. 427.
 ‘ must assist the Ordinary in taking them, under Part 2. p. 1912.
 ‘ the Penalty of *Excommunication*, *Concil. Paris. 1912.*
A. D. 1346. Can. 4.

4. ‘ All *Earls, Barons, Rectors, and Consuls* of
 ‘ *Cities*, and other secular Powers, bearing any
 ‘ Office whatsoever, must be admonished by the
 ‘ *Diocesan* to swear, that they will faithfully and
 ‘ efficaciously assist the *Church*, according to their
 ‘ Power and Office, against *Hereticks* and their
 ‘ *Accomplices*, and will use their utmost diligence
 ‘ therein; and if it be found necessary, they, by
 ‘ *Church Censures* must be compelled so to do, Part 1. p. 679, 630.
 ‘ faith the Council of *Beziers, Can. 9.* the Coun- p. 693.
 cil of *Alby, Can. 20. page 726.* the Provincial 694.
 Council of *Narbon, Can. 32.* And suitably to this,
 the Canon Law determines, that ‘ All *Earls, Ba-* Decretal.
 ‘ *rons, Rectors and Consuls of Cities*, and other l. 5.
 ‘ places, shall, at the Admonition of the *Bishops*, Tit. 7. cap. 9.
 ‘ engage themselves by Oath, that being required par statui-
 ‘ by them, they will faithfully and efficaciously mus.
 ‘ help the *Church*, according to their Office and
 ‘ Power, against *Hereticks* and their *Accomplices*.

§. V. Nor are these only the Decrees of *Popes*, and *Emperours*, and of *Provincial Councils*, but many of them are confirmed by their approved *general Councils*. For,

1. The fourth general Council of *Lateran* assembled *A. D.* 1215. *Can.* 3. * decrees that, ‘ All *Archbishops*, by themselves or their *Archdeacons*, or by some fit and honest Persons, twice, or at the least once a year, shall visit their own *Parishes*, in which it is reported that any *Hereticks* do dwell; and shall compel three or more Men of good report, or if it seem expedient to them, the whole Neighbourhood, to swear that if any of them know of any *Hereticks* there, or of any that keep secret *Conventicles*, or that differ in their Lives or Manners from the common Conversation of the Faithful, they will endeavour to acquaint the *Bishop* with them.’ The general Council of *Constance*, that is, *Martin* the Fifth, † with the consent and approbation of that Council || commands ‘ All *Archbishops*, *Bishops*, *Inquisitors*, *Commissaries*, or

* Adjicimus insuper, ut quilibet Archiepiscopus, vel Episcopus, per se aut per Archidiaconum suum, vel idoneas personas honestas, bis, aut saltem semel in anno, propriam Parochiam in qua fama fuerit hæreticos habitare, circumeat: & ibi tres vel plures boni testimonii viros, vel etiam, si expedire videbitur, totam viciniam jurare compellat, quod si quis ibidem hæreticos sciverit, vel aliquos occulta conventicula celebrantes, seu à communi conversatione fidelium, vita & moribus dissidentes, eos Episcopo studeat indicare, *Concil. To. XI. Part 1. p. 152.*

† Discretionis vestræ, sacro approbante Concilio *Constantiensis*, per Apostolica Scripta committimus & mandamus, *Concil. Const. Sess. 45. Bin. To. 7. p. 1120.*

|| Vobis, et aliis omnibus Archiepiscopis, Episcopis, & Electis ac Commissariis & Inquisitoribus, virtute sanctæ obedientiæ præcipimus & mandamus, ut quilibet eorum, infra limites & loca suæ Jurisdictionis, --- circa extirpationem & correctionem errorum & hæresum, --- in favorem ipsius fidei orthodoxæ diligenter invigilent, & omnes infamatos seu suspectos de tam pestife-

‘ *Elect*

‘ *Elect Persons*, by virtue of their Obedience,
 ‘ that every of them within their Limits or Pla-
 ‘ ces of their Jurisdiction, diligently do watch for
 ‘ the extirpation and correction of all Errors
 ‘ and *Heresies*. And wheresoever they find any
 ‘ that are infamed or suspected to be guilty of
 ‘ those Crimes, to compel them under the Pe-
 ‘ nalty of Excommunication, Suspension, inter-
 ‘ dict or Confession of the Crime, or any other
 ‘ more formidable Punishment, *Canonical* or *Legal*,
 ‘ to take a corporal Oath upon the *Evangelists*,
 ‘ the *Reliques* of the *Saints*, or a *Crucifix*, to an-
 ‘ swer to the *Questions* they shall ask them.’ Now
 the *Questions* among many others, are these fol-
 lowing, viz.

1. ‘ Whether they think it lawful that such an Pag. 1124.
 ‘ Oath should be imposed upon or taken by them;
 ‘ for their Purgation, (*i. e.*) an Oath *ex officio*, ob-
 ‘ liging them to condemn themselves.

2. ‘ Whether they hold it a mortal Sin to be
 ‘ guilty of *Perjury*, though it be to save their
 ‘ Lives, or for the Advantage of the Faith. This
 ‘ may be done by *Catholicks* but must not be done
 ‘ by *Hereticks*.

3. ‘ Whether he believes, That after the Con-
 ‘ secration of the *Priest* in the Sacrament of the
 ‘ Altar under the Elements of the Holy Bread
 ‘ and Wine, there remains no material Bread
 ‘ and Wine, but the same *Christ* entirely, who

ra labe sub confessati criminis, excommunicationis, suspensionis,
 interdicti, aut aliâ formidabili poenâ canonicâ, vel legali, prout,
 quando, & quemadmodum eis videtur expedire, & facti require-
 ret qualitas, per juramentum corporaliter præstitum, tactis sacro-
 sanctis Evangeliiis, seu sanctorum reliquiis, inagine crucifixi, se-
 cundum quorundam locorum observantiam, juxta infra scripta
 interrogatoria, ad quemlibet Articulum convenientia respon-
 dere compellant, *Concil. Constant. Sess. 45. Bin. To. 7. p. 1121.*

‘ suffered

‘ suffered on the *Cross*, and sits at the Right-hand
‘ of the Father.

4. ‘ Whether he believes, That the Consecra-
‘ tion being made by a *Priest*, under the Species
‘ of Bread alone, and without the Species of Wine,
‘ there is the true Flesh, and Blood, and Soul, and
‘ *Deity* of *Christ*, and whole *Christ*, (in his bro-
‘ ken Body) and the same *Christ* absolutely, and
‘ under every one of the Species in particular,
(*i. e.*) whether there be one *Million* of *Christs*, and
yet but one.

5. ‘ Whether he believes, That the Custom of
‘ communicating *Lay-men* in the Species of Bread
‘ alone, — approved by this Holy *Council*, be to
‘ be observed, so that it is not lawful to change
‘ it without the *Authority* of the *Church*,’ (*i. e.*)
whether he hold that the *Council*, forbidding what
Christ commands, is to be obeyed before *Christ*.

page 1125. 6. ‘ Whether he believes, That the *Pope* being
‘ *Canonically* elected, is the Successor of *St. Peter*,
‘ and hath *supreme Authority* in the whole *Church*
‘ of God?’ With many *Questions* of the like Na-
ture, containing the whole *Superstition* of the
Church of *Rome*.

2.* ‘ If any Person whom they suspect to be
‘ guilty of *Heresy*, will not undergo their *Canoni-*
‘ *cal Purgation*, or by a *damnable Obstinacy* refuses
‘ thus to swear, in order to his *Purgation*, he is
‘ to be condemned as an *Heretick* ;’ to the fourth
general *Council* of *Lateran*, and the general Coun-
cil of † *Constance*.

* Si qui vero ex eis juramenti Religionem obstinatione dam-
nabili respuentes, jurare forte noluerint, ex hoc ipso tanquam
Hæretici reputentur. *Concil. Lat. quartum, Can. 3. Concil. To.*
XI. p. 152.

† Qui autem de Hæresi per judicem competentem Ecclesiasti-
cum inventi fuerint sola suspitione notati, seu suspecti, nisi
— propriam innocentiam congrua devotione monstraverint,
in purgatione eis canonice indicta deficientes, & se canonice pur-

3. This Power is given to ‘ *Archbishops, &c.* throughout all * Parts of the World where any ‘ *Heresy* ariseth, viz. to make these Enquiries, ‘ and proceed accordingly;’ so that no *Country*, where this *Religion* doth obtain, can expect any Thing but a continual *Butchery* of all that will not be most gross *Idolaters*. And,

‘ 4. They command their † Officers, ‘ to proceed ‘ against, and to condemn as *Hereticks*, all Persons ‘ of whatsoever Dignity, Office, Preeminence, ‘ State and Condition they shall be, and what ‘ Names soever they are called, who think other- ‘ wise of the Sacrament of the Body and Blood of ‘ *Christ*, or of *Baptism*, or of *Confession* of Sins, ‘ or *Penance*, or any other Sacraments, or Ar- ‘ ticles of Faith, than the *Holy Roman Church* and ‘ *Universal*, teacheth, and as *Hereticks*, to give ‘ them over to the Civil *Magistrate*. *Concil. Con- stan. ibid.* And,

gare non valentes, aut pro hujusmodi purgatione facienda ob- stinatione damnabili jurare renuentes, tanquam Hæretici con- demnentur. *Concil. Const. Sess. 45. Bin. To. VII. p. 1121.*

* Tam ad Regnum *Bohemia*, & convicinas illi, quam a- lias quaslibet partes in quibus hæc superstitiosa doctrina quomo- dolibet pullaverit. *Ibid.*

† Mandamus quatenus vos Archiepiscopi, Episcopi, et Electi, et quilibet vestrum, per se seu alium, vel alios, quos graves & idoneas personas spirituales Jurisdictionem habentes esse volu- mus, omnes et singulos cujuscunque dignitatis, officii, præemi- nentiæ, status vel conditionis existunt, & quibuscunque nomini- bus censeantur, qui de præexcelso — Sacramento corporis & sanguinis Domini nostri *Jesu Christi* vel de baptismo, seu pec- catorum confessione, pœnitentia pro peccatis, injunctio, vel reliquis Ecclesiasticis sacramentis, seu fidei articulis, aliter sentire aut docere quam sacrosancta R. Ecclesia & universalis docet. prædicat & observat, — tanquam Hæreticos judicetis, & velut Hæreticos seculari curiæ relinquatis. *Concil. Constant. Sess. 45. apud Bin. To. VII. p. 1120.*

5. They

§. They renew the Constitution of * *Boniface the Eighth*, concerning the *Inquisition*, 'requiring and commanding all *Powers*, and *Lords Temporal*, and *Judges*, of whatsoever Dignity, Name, or Office, as they desire to be reputed *Christians* and sons of the *Church*, and to glory in the Name of *Christ*, that they obey, and attend these *Inquisitors*, and other *Ecclesiastical Persons* deputed, or hereafter by the *Apostolical See*, to be deputed, for the finding out and punishing of *Hereticks*, affording them their Aid and Favour in finding out, apprehending and imprisoning them, and all that do believe, favour, receive, or defend them.' And so much for the Laws made for enquiring after *Hereticks*.

§. VI. 3. The Laws which do concern the Punishment of *Hereticks*, when they are once discovered and apprehended, are either such as do declare what Punishments shall be inflicted on them; or such as do oblige Men to inflict those Punishments upon them. Now the Punishments which by their Laws must be inflicted on them, are these following viz. *Excommunication*, *Confiscation of their Goods*, *Imprisonment*, *Exile*, *Death*, *Concil. Bitter An. Dom. 1246. Can. 2.* And,

* (Constitutionem) Felicis Recordationis Bonifacii Octavi quæ incipit, ut Inquisitionis negotium, renovantes, & etiam exsequentes, universos Potestates, & Dominos temporales, & Judices antedictos, quibuscunque dignitatibus, vel officiis, seu nominibus censeantur, exhortando requirimus, & mandamus eisdem, ut sicut reputari cupiunt, & haberi fideles, ac filii Ecclesiæ nuncupari, & in Christi nomine gloriari, ita pro defensione Fidei vobis Archiepiscopis, Episcopis, & Electis, ac Inquisitoribus hæreticæ pravitatis, & aliis Judicibus seu personis Ecclesiasticis per nos ad hoc — deputandis, fidem & communionem Sanctæ Matris Ecclesiæ tuentibus pareant & intendant, præbeantque auxilium et favorem, in hæreticorum, necnon credentium, fautorum, receptatorum, & defensorum ipsorum investigatione, captionem, custodia diligenti, cum ab iisdem fuerint requisiti. *Ibid. p. 1121. Vid. Sexti Decretal. l. 5. tit. 2. c. 18.*

1. ' They must be *excommunicated*, with all
 ' their *Favourers*, every Week, saith the Council
 of *Beziers* *A. D.* 1233. *Can.* 1. and *A. D.* 1246. *Page* 453.
Can. 8. And the Council of *Alby*, *Can.* 19. They *Page* 679.
 are actually *excommunicated*, saith their *Canon Law*. *Decretal*,
 This Sentence doth pass upon them yearly in the *l. 5.*
Bulla Cœne. *Tit.* 7. c. 13.

2. They must lose all their Goods.

For (1.) whosoever apprehends them (which all
 have Liberty to do) hath free leave to take from
 them all their Goods, and full right to enjoy *Concil. To.*
 them. *Const.* Innocentii IV. *cap.* 2. And this Pu- *XI. p. 605.*
 nishment, saith *Innocent the Third*, ' we command *7. Decre-*
 ' to be executed on them by the *Princes* and *Se-* *l. 5. Tit. 7.*
 ' *cular Powers*, who shall by *Ecclesiastical Censures* *cap. 19.*
 ' be compelled thereunto.

Moreover, after the Sentence is pronounced
 against them, ' Their Goods, if they have any
 ' still remaining shall be all confiscated, and never
 ' shall return unto them. *Const.* Fred. 2. *Concil.*
 ' *Bitterrense*, *Can.* 3. *p.* 678. *Statuta Raimundi*, *To, XI, p.*
Com. Tolos. *p.* 449, 450. *Concil. Arelat.* *A. D.* 622.
 1234. *Can.* 5. *p.* 2341.

' The very House in which the *Heretick* is
 ' found must be destroyed and never built again,
 ' and the ground must be confiscated, and so
 ' must all the other Houses contiguous to it, if
 ' they belong to the same Person, (unless it ap-
 ' pear to the *Inquisitors* that the *Lords* of them
 ' were wholly inculpable) and all the Goods of
 ' them must be sold, or become his that takes
 ' them.' *Innocent.* 4. *cap.* 26. *Clem.* 4. *Const.*
 13. *Leg.* 25, 26. *Concil. Tolos.* *Can.* 6. *Concil. Bit-* *Ibid. p. 607*
terr. *Can.* 35. *p.* 694. *Concil. Albien.* *Can.* 6. *p.* 428,
 723. *Stat. Raimundi Comit. Tolos.* *Concil. provinc.*
Narbon. *Can.* 35. *p.* 694.

3. They are to be imprisoned without de-
 lay.

And

They

And when they have them thus in hold, the Governour is, by the Constitutions of Pope *Innocent* the Fourth, obliged 'to compel them by any Punishments which do not dismember them, or endanger their Death, expressly to confess their Errors, and to accuse all other *Hereticks* they know of, and the *Believers*, *Receivers*, or *Defenders* of them, and to tell where their Goods are. *Const. Innocent. 4. cap. 25.* Which Constitution is renewed by *Clemens* the Fourth, *Const. 13. Leg. 24.* and is the ground of all the *Hellish Cruelties* which those poor Creatures meet with in the *Inquisition*.

§. VII. 4. They must be banish'd, exterminated, or driven out of all places where they are, For the *Council* of *Cologne* commands 'all that are subject to it to rise up against *Hereticks*, their *Favourers* and *Receivers*, and faithfully to procure their Extermination. *Can. 9. A. D. 1425. p. 363, 364.* And in order hereunto,

1. All secular Powers must swear to expel *Hereticks* out of their Dominions. The Constitutions of the Emperor *Frederick* the Second run thus, 'We make a perpetual Decree, That the *Officers*, *Consuls*, *Rectors*, whatsoever Office they enjoy, shall, in defence of the Faith, take a publick Oath, That they will honestly endeavour with their utmost Power to expel all *Hereticks*, as such condemned by the *Church*, out of their Territories. And all that shall be admitted hereafter to any place of Government, Temporal or Perpetual, shall be bound to take this Oath, or lose his Government.' *Ludovicus* the Seventh, King

of *France*, with the Advice of his Nobles, sets forth his *Edicts* against *Hereticks*, 'commanding all his *Barons*, *Bailiffs*, and other Subjects present and future, to be solicitous and intent to purge their Territories from *Hereticks* and heretical Filth,

Citra diminutionem membrorum, & mortis periculum. To. 11 p. 607. Bullar. R. To. 1. p. 374.

Council. To. 12.

To. XI. p. 622.

Ibid. p. 142.

Council. To. XI. p. 423. 424.

‘ Filth, and to swear to the observance of this
 ‘ and all other Statutes made against them. They
 ‘ must swear to do their endeavours to extermi-
 ‘ nate out of their Dominions all *Hereticks, Be-*
 ‘ *lievers, Receivers, Favourers, or Defenders* of them,
 ‘ saith the *Council of Alby, Can. 20.* The *Coun-*^{p. 726.}
cil of Arles gives power to the *Bishop* to compel *Concil. To.*
 them by *Church Censures* to take this Oath. *Can. 3.*^{XI. part. 2.}
 See the like, *Concil. Bitter. Can. 9. p. 679, 680.*^{p. 3340.}
Concil. provinc. Narbon. Can. 32. p. 693, 694.

The Constitutions of *Innocent the Fourth* de-
 cree, ‘ That every Governour in *Lombardy*, ha-
 ‘ ving called a *Common Council*, shall put forth *To. XI. p.*
 ‘ his *Edit*, to banish all *Hereticks* from under his ^{605.}
 ‘ Jurisdiction, and to declare, That none of them
 ‘ shall stay within his Jurisdiction. *Const. 2.* So
 also do the Constitutions of *Clement the Fourth*, *Bull. Rom.*
Const. 13. Leg. 2. Now, for the better Execu-^{To. I. p.}
 tion of this punishment, it is decreed, ^{173.}

§. VIII. 1. ‘ That if any Governour knowing-
 ‘ ly permit a *Heretick* to abide in his Dominions he
 ‘ shall be excommunicated, *Concil. Bitterr. Can.*
 ‘ 2. p. 677.

2. ‘ That whosoever, having temporal Domi-
 ‘ nion, neglect to prosecute those who by the
 ‘ Church are denounced *Hereticks*, or to extermi-^{Incompa-}
 ‘ nate them out of his *Province* or *Dominion*, is ^{irabiliter}
 ‘ to be deem’d a grievous *Favourer* of *Hereticks*,^{Reus, p.}
Concil. Narbon, Can. 15. ^{492.}

3. ‘ He who knowingly permits a *Heretick* to
 ‘ abide in his *Dominions*, shall for ever lose them.
 ‘ And his Body shall be in the Power of his Lord,
 ‘ to do with him as he ought, *Concil. Tolos. Can. Concil. To.*

4. *Concil. Bitterr. Can. 2. p. 677. Concil. Alb. Can. 5. XI. p.*
^{p. 725.} ‘ If the *temporal Lord* being required shall ^{428.}

‘ neglect to purge his Territory from *heretical*
 ‘ *Pravity*, after one Year elapsed from the Time
 ‘ of his Monition, (saith the *Emperor Frederick*),

Pag. 622.
Bull. Rom.
To. I. p.
90.

‘ we expose his Territories to be seized by Catholicks, who, having exterminated the Hereticks, without Contradiction shall possess it, and preserve it in the Purity of Faith, so as no Injury be done to the Right of the *superiour Lord*, who doth not any way oppose this Procedure; provided notwithstanding that the same Law take Place against them who have no *principal Lords*, *Const. Fred. 2.* And this his Constitution is confirmed by *Honorius the Third, Const. 1.*

§. IX. Now all these Constitutions of *Popes, Kings, Emperours, Provincial Councils*, are also confirmed by the approved general Councils of the *Roman Church*; and are extended and enlarged by them to *Kings, Emperours, and Supreme Governours*, and so they are not only Constitutions of State, or of the *Court of Rome*, but also of the whole *Church of Rome*. For,

1. The Fourth general Council of * *Lateran* begins the Chapter against *Hereticks* thus, ‘ We excommunicate and anathematize every *Herefy* extolling it self against the *Holy Orthodox Catholick Faith*, which we have now expounded, condemning all *Hereticks* by what Names soever they are called. † We anathematize them, their Defenders and Receivers,’ (saith the Third general Council held there.

2. The third general Council of * *Lateran* under *Alexander the Third*, the Fourth general Coun-

* Excommunicamus et anathematizamus omnem Hæresim extollentem se adversus hanc sanctam orthodoxam Fidem quam superius exposuimus, condemnantes universos Hæreticos quibuscunque nominibus censeantur. *Concil. Lat. Can. 3. Concil. To. XI. p. 148.*

† Eos et Defensores eorum et Receptores Anathemati decernimus subiacere. *Concil. Lat. tertium, cap. 27.*

* Bona ejusmodi Damnatorum, si Laici fuerint, confiscantur. *Concil. Lat. quartum, Can. 3. ibid.* Confiscantur eorum bona et

cil of *Lateran* under *Innocent* the Third, and the general Council of *Constance* decree, that 'the Goods of *Hereticks* if they be *Laymen* shall be confiscated.

3. They decree that 'the *Temporal Lords*, being Required by the *Inquisitors*, *Archbishops*, *Bishops*, &c. † shall within their Jurisdictions, without Delay, imprison *Hereticks*, and cause them to be kept in close Custody, by putting them into Fetters and Iron Chains, till the Church hath passed Sentence on them; and not * freeing them from Prison without the License of the *Bishop* or *Inquisitors*. And,

* *Vide Sext.*
Decretal.
l. 5. tit 2.
c. 18.

4. They decree that the * ' *Secular Powers*, what Offices soever they enjoy, shall be admonished, and, if need be, compelled by *Ecclesiastical Censure*, that as they desire to be reputed *Christians*, so they will take an Oath for the Defence of the *Faith*, that they will honestly endeavour with their whole Power to extermi-

liberum sit Principibus ejusmodi homines subicere servituti. *Lat. tertium, cap. 27*, Bona ipsorum, à tempore commissi criminis, secundum canonicas Sanctiones confiscata. *Concil. Const. Sess. 45. Bin. To, 7. p. 1121.*

† Ut præfatas personas pestiferas—in potestatem, seu carcerem—infra eorundem Dominorum potestatem, seu judicium districtum ducant, vel duci faciant, sine mora, ubi per viros Catholicos—sub arcta et diligenti custodia, ne fugiant ponendo eos etiam compedibus et manicis terreis, teneant, donèc eorum negotium per Ecclesiæ judicium terminetur. *Concil. Const. Sess. 45. Bin. To, 7. p. 1121.*

* Moneantur autem, et inducantur, et, si necesse fuerit, per Censuram Ecclesiasticam compellantur Seculares Potestates quibuscunque funguntur Officiis, ut sicut reputari cupiunt et haberi fideles, ita pro defensione Fidei præstent publicè Juramentum quod de terris suæ jurisdictioni subjectis universos Hæreticos ab Ecclesiâ denotatos bonâ fide pro viribus exterminare studebunt: ita quòd à modo quomodocunque quis fuerit in Potestatem sive spirituales sive temporales assumptus hoc teneatur capitulum Juramento firmare, *Concil. Lat. quartum, Can. 3. ibid.*

'nate all *Hereticks*, condemned by the *Church*, out of their Territories.' Thus the fourth *Lateran Council* hath defined. The general *Council* of *Constance* requires † 'All *Archbishops*, *Bishops*, and other Persons chosen for this Work, to admonish and require all *Kings*, *Emperours*, *Dukes*, *Princes*, *Earls*, *Barons*, &c. and by the *Apostolical Authority* to command them, to expel all *Hereticks* forementioned out of their Kingdoms, Provinces, Cities, Towns, Castles, Villages, Territories and other Places, according to the *Canon* of the *Lateran Council* which begins with the Words, *Sicut ait*, that is, according to the *Twenty seventh Canon* of the *Third general Council* of *Lateran*, which, under *Anathema*, forbids any one to let the *Hereticks* there mentioned tarry within their Houses or Territories.

5. The Fourth Council of * *Lateran* adds, that

† Omnes Christianæ & Catholicæ Fidei Professores, Imperatorem, Reges, Duces, Principes, &c. necnon ceteros jurisdictionem temporalem exercentes juxta Juris formam & exigentiam Autoritate Apostolicâ exhortando moneatis & requiratis, ut de Regnis, Provinciis, Civitatibus, Oppidis, Castris, Villis, Terris & Locis aliis, ac Dominiiis supradictis, omnes & singulos Hæreticos hujusmodi, secundum tenorem Lateranensis Concilii, quod incipit *sicut ait*, —tanquam oves morbidas Gregem Domini inficientes expellant, nec eosdem in suis districtibus prædicare, domicilia tenere, larem fovere, contractus inire, negotiationes & mercationes quaslibet exercere, aut humanitatis solatia, *N. B.* cum *Christi* Fidelibus habere permittant. *Conc. Const. Sess. 45. apud Bin. To. 7. p. 1121. A. Vide Concil. Lat. tertium, cap. 27.*

* Si verò Dominus temporalis requisitus, & monitus ab Ecclesia, terram suam purgare neglexerit ab hac hæretica sceleratitate, per Metropolitanum & ceteros Comprovinciales Episcopos excommunicationis vinculo innodetur, & si satisfacere contempserit infra annum, significetur hoc Summo Pontifici, ut ex tunc ipse vasallos ab ejus fidelitate denunciaret absolutos, & terram exponat Catholicis occupandum, qui eam, exterminatis Hæreticis, sine ulla contradictione possideant, & in fidei puritate conservent, salvo jure Domini principalis, dummodo super hoc ipse nullum præstet obstaculum, nec aliquod impedimentum opponat, eadem

if

‘ if the *Temporal Lord*, being required and admonished by the *Church*, shall neglect to purge his Territories from *Heretical Filth*, he shall be excommunicated by the *Metropolitan* and his *Suffragans*; and if he neglect to give Satisfaction within a Year, this shall be signified to the Pope, that he, from henceforth, may pronounce his Subjects discharged from their Obedience, and expose his Territories to be enjoyed by *Catholicks*, who, having exterminated the *Hereticks*, shall possess it without all Contradiction, and keep it in the Purity of Faith, so that no Injury be done to the *Principal Lord*, who doth not oppose his Procedure; provided notwithstanding that the same Law take place against them who have no *Temporal Lords*.’

Now let it be observed, that both the *Councils* of * *Constance* and of *Basil*, do reckon this *Lateran* among those *Councils* which all their *Popes* must swear to maintain to the least Tittle, and to defend even to Blood; and that the *Council* of † *Trent* not only hath declared it to be a general *Council*, but also doth affirm one of its *Definitions* to be the Voice of the whole *Church*, and therefore these three general *Councils* must be supposed to approve all that is cited from this *Council*. The general *Council* of || *Constance* decrees, that

nihilominus lege servatâ circa eos qui non habent Dominos principales, *Ibid.* p. 148, 149.

* Corde et ore profiteor fidem secundum traditionem octo Conciliorum generalium, necnon *Lateranensis*, *Lugdunensis*, *Viennensis*, *Constantiensis*, generalium etiam Conciliorum, et illam fidem usque ad unam apicem immutillatam servare, et usque ad animam et sanguinem defendere, et prædicare. *Concil. Constant. Sess. 39. Basil. Sess. 37.*

† Per *Lateranense Concilium* Ecclesia statuit. *Sess. 14. c. 5.*

|| Omnes et singulos Hæreticos hujusmodi, necnon Sectatores ipsarum Hæresum et Errorum utriusque sexûs, tenentes, et etiam defendentes eosdem, aut Hæreticis ipsis quomodolibet,

‘ all *Hereticks*, all *Followers* and *Defenders* of them,
 ‘ or *Partakers* with them, though they shine in
 ‘ the *Dignity* of *Patriarchs*, *Archbishops*, *Bishops*,
 ‘ *Kings*, *Queens*, *Dukes*, or any other Ecclesiasti-
 ‘ cal or Mundane Title, shall be pronounced *ex-*
 ‘ *communicate* in the presence of the People every
 ‘ *Sunday* and *Holy-Day*: and that the *Archbi-*
 ‘ *shops*, *Bishops*, and *Inquisitors*, shall diligently
 ‘ enquire concerning them, who hold, approve,
 ‘ defend, dogmatize or receive such *Heresies* or
 ‘ *Errors* as they before had mentioned, of what
 ‘ *Dignity*, *State*, *Pre-eminence*, *Degree*, *Order*
 ‘ or *Condition* soever they are, and if they be
 ‘ found guilty or infamed, by their Authority
 ‘ shall proceed against them by the Punishments
 ‘ of *Excommunication*, *Suspension*, *Interdict*, as also

publice vel occulte, in divinis, vel alias participantes, etiamſi
 Patriarchali, Archiepiſcopali, Epiſcopali, Regali, Reginali, Du-
 cali, aut alia quavis Eccleſiaſtica vel mundana præfulgeant dig-
 nitate,—excommunicatos ſingulis diebus dominicis et feſtivis,
 in præſentia populi nuncietis, et per alios nunciari faciatis, et
 nihilominus contra eofdem omnes et ſingulos, utriuſque ſexus,
 huiuſmodi errores tenentes, approbantes, defendentes, dogma-
 tizantes ac Fautores et Receptores et Defenſores eorundem,—
 et quemlibet ipſorum cujuſcunque dignitatis, ſtatûs, præemi-
 nentiæ, gradus, ordinis vel conditionis exiſtunt, auctoritate no-
 ſtra diligenter inquirere ſtudeatis, et eos quos per inquiſitionem
 huiuſmodi diffamatos, vel per confeſſionem eorum, vel per
 facti evidentiam, vel alias huiuſmodi hæreſis et erroris labe re-
 ſperſos reperietis, auctoritate prædicta, etiam per excommunica-
 tionis, ſuſpenſionis, & interdicti, necnon privationis dignita-
 tum, perſonatum et officiorum, aliorumque beneficiorum Ec-
 cleſiaſticorum ac feudorum, quæ à quibuſcunque Eccleſiis,
 Monafteriis, ac aliis locis Eccleſiaſticis obtinent, ac etiam bo-
 norum et dignitatum ſecularium,—et per alias pœnas, ſenten-
 tias et cenſuras Eccleſiaſticas, ac vias et modos quos ad hoc
 expedire, ſeu opportunos eſſe videritis, etiam per captiones et
 incarcerationes perſonarum, et alias pœnas corporales quibus
 Hæretici puniuntur, ſeu puniri jubentur, aut ſolent, juxta Ca-
 nonicas Sanctiones. *Concil. Conſtant. Seſſ. 45. apud Bin. Tr.*
ſTI. p. 1125.

‘ of *Deprivation* of their Dignities, Offices and
 ‘ Benefices Ecclesiastical, and also of their Secu-
 ‘ lar Dignities and Honours, and by any other
 ‘ Penalties, Sentences, Ecclesiastical Censures,
 ‘ Ways or Manners which they shall judge expe-
 ‘ dient, even by taking and imprisoning their
 ‘ Persons, and executing upon them any corporal
 ‘ Punishments with which *Hereticks* use to be
 ‘ punished, according to the Canonical Sanctions.’

The general *Council* of *Siena* confirms this *Bull* of *Concil. To.*
Martin the Fifth, made with the Approbation and *XII. p.*
 Concurrence of the *Council* of *Constance*, and so, 367.
 upon the matter, renews all the forementioned
 Decrees.

§. X. And whereas our dear *Lord* declares, *he*
came not to destroy Mens lives but to save them, they
 have set up under the Banner of the *Cross* an *Host*
 of Men, on purpose to exterminate, destroy and
 butcher those whom they are pleased to call *Here-*
ticks, and, to encourage them in this *inhuman* ser-
 vice, do promise them the greatest Privileges.
 The * *Council* of *Bourges* approved by the general
Council of *Basil*, declares, that War may justly be
 ‘ waged against condemned *Hereticks*, and that
 ‘ *Princes* and *Christian People* may be animated to
 ‘ fight against them.

The Fourth general *Council* of † *Lateran* de-
 crees, ‘ that they who under the Badge of the

* Si *Bohemi* non venerint ad Concilium sic solenniter man-
 dati, tunc Principes et *Christi Fideles* poterunt ad pugnam ami-
 mari: (& paulo post) iuste induci possit bellum contra *Hæreti-*
cos damnatos. *Append. ad Concil. Basil. apud. Bin. To. VIII. p.*
 200.

† *Catholici* vero, qui *Crucis* assumpto charactere, ad *Hæreti-*
corum exterminium se accinxerint, illa gaudeant indulgentia ;
 illoque sancto privilegio sint muniti, quod accedentibus in ter-
 ra sanctæ subsidium conceditur. *Concil. Lat. quartum, To. XI.*
 p. 149.

‘ Cross will set themselves to exterminate *Hereticks*, shall enjoy that Indulgence and that holy Privilege which is granted to them who go in Defence of the *Holy Land*, and that is, *full Remission of all their Sins* which they confess, and for which they have been contrite, and a greater Degree of everlasting Happiness than others may expect. *Can. 3.*

The third general Council of * *Lateran* decrees, ‘ They shall be taken under the Defence of the ‘ *Church*, and shall be secure from any manner of ‘ Molestation in their Goods and Persons, and shall ‘ have two Years release of the Penance enjoined them, and receive greater Indulgence at ‘ the Discretion of the *Bishops*.’ *Cap. 27.* The general Council of *Siena* decrees, that ‘ all who procure and procure the Extirpation of the *Wickliffs*, and *Hussites*, shall enjoy all the Rights, Privileges and Indulgences concerning the Pardon ‘ of their Sins, which have been granted to them ‘ that rise up against *Hereticks*. And to † all that will

* Eos qui ardore Fidei ad (Hæreticos præfatos) expugnandum, laborem justum assumpserint, sicut eos qui sepulchrum dominicum visitant sub Ecclesiæ defensione recipimus, & ab universis inquietationibus tam in rebus quam in personis, statuimus manere securos; et rursus fidelibus Christianis qui contra eos arma susceperint biennium de pœnitentia injuncta relaxamus, aut si longiorem ibi moram habuerint, Episcoporum discretioni, quibus hujus rei cura fuerit injuncta, committimus, ut ad eorum arbitrium secundum modum laboris, major eis Indulgentia tribuatur. *Concil. Lat. 3. cap. 27. apud Bin. To. VII. p. 662.*

† Statuit hæc sancta Synodus, quòd quicumque capientes Hæreticos, et in potestatem Ordinariorum, vel Inquisitorum Hæreticæ pravitatis effectualiter ponentes, vel eos, quos detinere, seu capere non possent, de eorum territoriis omnes expellentes, aut bannientes, seu etiam requisiti, brachium seculare contra eos præstantes eam Indulgentiam consequantur quæ dari consuevit personaliter proficiscentibus in subsidium Terræ Sanctæ. *Concil. To. XII. p. 368, 369.*

‘ pro-

‘ prosecute those *Hereticks*, apprehend or bring them to the *Inquisitors*, or, if they cannot apprehend, will expel them from their Territories, and if they be required fight against them; they promise all the Privileges granted to those who went to the Assistance of the *Holy Land*.’ So also doth the *Canon Law*. *Eugenius* Decretal. l. 5. Tit. 7. cap. 13. the Fourth, in his Bull of *Revocation* of the general Council of *Basil* objects this to them, ‘ That against the Decrees of the *Holy Fathers*, and the *Edicts* of *Emperours*, which deny the admitting *Hereticks* to Audience, and in prejudice to the Authority *Apostolick*, and the Authority of the *Holy Councils*, they had invited the *Bohemians* to dispute at *Basil*, about certain Articles condemned by the *Decrees* of *Popes* and *Councils*, it being, saith he, notorious to the whole World, that the *Bohemian Hereticks* were maturely and solemnly condemned in the Council of *Constance*, and in the Council of *Siena*, were by divers Processes of the *Apostle’s See* and his *Legates*, aggravated once and again, and that War was proclaimed, and the Secular Arm * invoked against them. † ‘ He shall obtain of *God* the Kingdom of Heaven who dies for the defence of *Christians*, saith a *Lemma* of the *Canon Law*; the Words of the *Chapter* are said to be directed by *Leo* the Fourth to the *French Army*; and they spake thus, viz. * ‘ laying aside all

* Invocatione etiam auxilii brachii secularis, et publici belli indictione multiplici. *Bin. To. VIII. p. 267.*

† Cœleste Regnum à Deo consequitur qui pro Christianorum defensione moritur.

* Omni timore & terrore deposito, contra Inimicos Sanctæ Fidei, et adversarios omnium Religionum agere viriliter studeat; novit enim Omnipotens si quilibet vestrum morietur, quod pro veritate Fidei, — ac defensione Christianorum mortuus est, et ideo ab eo præmium cœleste consequetur. *Decret. Part. 2. Caus. 23. qu. 8. cap. 9.*

‘ Fear and Terror, act boldly against the Enemies of the Holy Faith, and the Adversaries of all Religion; for the Omnipotent knows, that if any of you dies, he dies for the true Faith, the Preservation of his Country, and the Defence of Christians; and therefore he shall obtain of God a Heavenly Reward.

Concil. To. XI. p. 619. § XI. The last Punishment which these poor Creatures must undergo, is Death. They shall not be suffered to live, say the Constitutions of Frederick the Second. ‘ The *Patareni*, and all other *Hereticks*, shall be duly punished by the *Secular Judge*, ‘ they shall take them away by a *damnable Death*,

Concil. To. XI. p. 423. say the same Constitutions, p. 619. ‘ For their Extirpation, we decree, saith *Ludovicus* the Seventh, King of *France*, that, being condemned, they shall be punished with the Animadversion due unto them. So also doth the *Canon Law. Decretal. l. 5. tit. 7. cap. 13.* By the Statute of our King *Henry* the Fourth, against the *Lollards*, ‘ after the Sentence pronounced against these *Hereticks*; the Mayor, the Sheriff, or their Officers, who must be present at the Execution, must take them into their Custody, and burn them before the People in some eminent Place. *Concil. Tom. XI. part 2. p. 2101. A.D. 1408.*

P. 8. 619. The Constitutions of *Frederick* the Second, decree, that ‘ the same Punishment shall be inflicted upon those who cherish and defend them.

‘ And upon all who having once abjured their *Heresy*, relapse into it. *Ibid. p. 620.*

If after Death they shall be found to have been *Hereticks*, ‘ their Bodies must be digged up, and their Bones burnt. *Concil. Albienſe, Can. 52. p. 727.*

‘ And the Temporal Lords, by the Diocesan, and the Inquisitors, must be compelled by Ecclesiastical Censures to dig up their Bodies. *Concil. Alb. Can. 27. p. 728.* More-

Moreover, 'The Sons and Nephews of *Hereticks*, or of their Receivers, Defenders or Favourers, must be admitted to no publick Offices, or Benefices Ecclesiastical or Secular, nor to succeed to the Inheritance of their Fathers. *Const.* ^{To. XI. p. 622. Bull. Ro.} Fred. 2. Innocent. 4. *cap.* 29. *p.* 608. Nich. 3. ^{To. 1. p. 182.} *Const.* 2. § 21. These are the Laws established, which lay an Obligation upon those of this Communion to punish *Hereticks*.

§ XII. And that what they have thus established may be inviolably observed, they decree,
1. That 'all the Governors forementioned must proceed according to their Constitutions, against all *Heresies*, extolling themselves against the Church of Rome. Clem. *Constit.* 8. § 2. *ubi supra*.

2. That 'these punishments of *Hereticks* must by no Means be relaxed. *Const.* Innoc. 4. *Cap.* 32. Clem. 4. *Const.* 13. *Leg.* 34. Bull. *To. I. p.* 175. and as they must not be relaxed, so neither must they be delayed. For,

3. 'When any Person is condemned for *Heresy*, the Magistrate, within five Days, must execute the Sentence which hath past upon him. Innoc. 4. *Const.* *cap.* 24. he must presently receive them into his Custody for that End. Clem. 4. *Const.* 13. *Leg.* 23. 'He shall punish them without Delay, *Const.* Ludovici, *Regis Francorum*. And,

4. That no Person may have any Temptation or Excuse, either for the relaxing or delaying of them, they are required to execute them without Enquiry made into the Justice of them: For by the Constitutions of Innocent the Eighth, 'All Magistrates, under the Penalty of Excommunication, must execute the Penalties by the Inquisitors imposed on *Hereticks*, without revising the Justice of them; because *Heresy* is a Crime merely Ecclesiastical. *Const.* 10. Bull. Rom. *To. I. p.* 453. § XIII.

To. XI. p.
609.

Bull. Rom.
To. I. p.
166.

Pag. 609.

Pag. 609.
Bull. Rom.
To. I. p.
175.
Sexti De-
cretal. l. 5.
tit. 2. c. 9.

To. XI. p.
624.

§ XIII. Moreover, that no Governor may plead Ignorance as to any of these *Laws*, by the *Constitutions* of *Innocent* the Fourth, 'Every Governor must have a Copy of these *Laws* inserted into the *Statute Book* of the City where he doth preside.' *Const.* 38. *Clemens* the Fourth commands All Rulers throughout *Italy*, to write down in their *Chapter-acts*, or in their *Books of Statutes*, the *Constitutions* set forth against *Hereticks* by *Innocent* the Fourth, and *Alexander* the Fourth, *Const.* 8. § 1. And,

2. 'If any blot out, diminish or alter any of these *Constitutions* without the consent of the *Apostolick See*, he must be proceeded against as a publick *Defender* or *Favourer* of *Hereticks*, *Innocent.* 4. *Const.* 34. *Clem.* 4. *Const.* 13. *Leg.* 37. p. 175. And that no Person may plead an *Obligation* by vertue of any other *Constitutions*, to neglect the prosecution of these *Laws*.

3. 'All *Statutes* contrary to these, throughout all *Italy*, must be abolished and rased out of all *Places* and *Cities* within their *Jurisdiction*, *Innocent.* 4. *Const.* 37. *Clem.* 4. *Constit.* 13. *Leg.* 39. By the *Constitution* of *Urban* the Fourth, 'The *Statutes* of any *City*, *Castle*, *Village*, or other place, whereby the business of the *Inquisition* of *Heretical pravity* is directly or indirectly hindred or retarded, are made void, and the *Rectors* and *Governors* of those places are, by *Ecclesiastical Censure* to be compelled to revoke them.

§ XIV. Again, That knowing of these *Constitutions* they may not dare to be remiss as to the Execution of them; at their Admission they must swear to the Observance of them, 'he who will not do so, must not be owned as a Governor in any Place in *Italy*, nor must any of his Acts be valid, nor any Person be obliged to perform the Oaths made to him, *Innoc.* 4. *Const.* 1. *Clem.* 4. *Const.*

4. *Const.*

4. *Const.* 13. *Leg.* 1. Nor is he, by the *Laws* of *Bull. Rom.*
Frederick the Second, to be admitted as a Gover- *To. I.*
 nor in any Place of the *Empire*. And these two *p. 173.*
Constitutions are made a Part of the *Canon Law*, as *p. 622.*
 you may see, *Sexti Decretal.* l. 5. tit. 2. cap. 11.

If, having thus sworn, 'he shall neglect to
 observe all, and several of these *Constitutions*, he
 must be divested of his Office and Govern- *To. XI. p.*
 ment, and be henceforth incapable of any *604.*
 Dignity, Office and Honour, and must be pro- *Bull. Rom.*
 secuted as a Person *infamous, perjurd, suspected* *To. I. p.*
concerning the Faith, and a *Favourer of Hereticks*, *173.*

Const. Innoc. 4. Const. 1. Clem. 4. Const. 13. Leg. 2.
 If he do not proceed according to these *Rules*
 against all *Heresies* extolling themselves against
 the *Church of Rome*, he must be punished with
 an *Excommunication* and an *Interdict* upon his *Ju-*
risdiction, to be inflicted by the *Inquisitors* on all
Refusers, Constit. 8. § 2. Constit. 13. § 2. p. 172. *p. 166.*

'If any *Bishop* be negligent or remiss in pur-
 ging of his *Diocese* from *Heretical Pravity*, he,
 by the * *Canon* of the Fourth general *Council* of
Lateran, 'must be deposed from his *Episcopal Of-*
fice' and the same Punishment is threatned by
 the general *Council* of † *Constance* to all *Archbishops*,
Bishops, or *Inquisitors* who are thus negligent and
 remiss, and also by the *Canon Law, Decretal.* l. 5.
tit. 7. cap. 13.

* Si quis Episcopus, super expurgando de sua Diocæsi Hæreti-
 cæ pravitatis fermento, negligens fuerit vel remissus, cum id
 certis indiciis apparuerit, ab Episcopali Officio deponatur, &
 in locum ipsius alter substituatur idoneus, qui velit & possit
 Hæreticam confundere pravitatem, *Concil. Lat. Can. 3. Concil.*
To. XI. p. 152.

† Nos enim contra omnes Archiepiscopos, Episcopos, &c.
 qui super extirpando Hæreticæ pravitatis fermento,---negligen-
 tes fuerint,---usque ad privationem seu depositionem Pontifica-
 is Dignitatis procedere intendimus & procedemus, *Sess. 45. a-*
nd Bin. To. VII. p. 1122.

To. XI. p. 428. ' If any *Bailiff* be negligent in this Work, he must lose his Goods and be incapable of the

' *Office*, *Concil. Tolos. Can. 7. Concil. Albiense. Can. 7. p. 723.*

Concil. To. XI. p. 698. ' If any Person whatsoever will not execute the sentence of the *Inquisitors*, he must be compelled to it by *Ecclesiastical Censures*; and if then

' he amend not, both his *Diocesan* and the *Inquisitors* must proceed against him as a *Defender* and *Favourer of Hereticks*. So the *Council of Valence*.

p. 726. ' *A.D. 1248. Can. 9. Concil. Albiense. Can. 22. A. D.*

f. 727. 1254.

Vide Bail- lion Ni- chol. 3. Const. 2. § 3. Bull. Rom. To. I. p. 182. & Clem. 4. Const. 13. l. 27. p. 175. §. XV. And that no Man may dare to give these *Hereticks* Credit, or shew them the least Fa-

vour, they have decreed, 1. That all who are *Believers of Hereticks*, or give Credit to their Errors, shall be condemned and punished as *Hereticks*, In-

noc. 4. *Const. 27.* Now ' such a one is he, (saith the *Provincial Council of Narbon*), who shew

them any Reverence, who believes that they continuing in their Sect, may be saved, or may

be good and holy Men, or Friends of God, or of good Life and Conversation, or that they

who prosecute them do offend, *Can. 29.* They are to be reputed *Favourers of Hereticks* (saith

the *Provincial Council of Narbon*), who hinder the Correction or Extirpation of *Hereticks*, and

those that believe them, or do not do that which without manifest Fault they cannot omit

towards it; they greatly favour them who conceal them when they may and ought to re-

veal them; they more, who by concealing of them maliciously endeavour to hinder their Ex-

amination, Incarceration or Punishment; they most of all, who release them without the Com-

sent of the *Church*, when they are taken or imprisoned, or by whose Counsel, Aid or Com-

mand, such things are done: Nor are they free from

15. Can. 16.

‘ from this Crime, who, having Opportunity of
 ‘ Place and Time, and Power to apprehend *He-*
 ‘ *reticks* or help others so to do, wickedly let it
 ‘ slip, especially, when they are required to assist
 ‘ by others that are willing to apprehend them.

2. * ‘ If any *Believer, Receiver, Defender* or *Fa-*
 ‘ *vourer* of *Hereticks*, being excommunicated, do
 ‘ not satisfy (the *Church*) within a Year, he from
 ‘ henceforward shall be infamous, and shall not
 ‘ be admitted to give Testimony, or to publick
 ‘ Offices, or to Councils, or to the Election of
 ‘ those that belong to them: he shall have no
 ‘ Power of making any Will, or succeeding to
 ‘ any Inheritance: No Man shall be obliged to
 ‘ answer him in any Cause, but he shall be com-
 ‘ pelled to answer others; if he be a *Judge*, his
 ‘ Sentence shall be void and null, nor shall any
 ‘ Causes come before him; if an *Advocate*, he
 ‘ shall not be admitted to plead; if a *Clerk* or
 ‘ *Notary*, the Instruments drawn by him shall be
 ‘ of no Moment. So the *Constit. Freder. 2. the*
 ‘ *Constitutions of Clement the Fourth, Const. 27. And*
 ‘ lastly, All this is confirmed by the Fourth gene-
 ‘ ral Council of *Lateran* in express Words, *Cap. 3. de*

Cuncil. To.
XI. p. 622,
623. Bull.
Rom. Ts. I.
p. 182, 175.
To. XI. p.
150, 149.

* *Credentes verò præterea, Receptores, Defensores & Fauto-*
res Hæreticorum, Excommunicationi decernimus subiacere: fir-
miter statuentes, ut postquam quis talium fuerit Excommunica-
tione notatus, si satisfacere contempserit infra annum, extunc
ipso jure sit factus infamis, nec ad publica Officia, seu Consilia,
nec ad eligendos aliquos ad hujusmodi, nec ad Testimonium ad-
mittatur: Sit etiam intestabilis, ut nec testandi liberam habeat fa-
cultatem, nec ad hæreditatis successionem accedat: Nullus præ-
terea ipsi super quocunque negotio, sed ipse aliis respondere co-
gatur, quòd si fortè Judex extiterit, ejus sententia nullam obti-
neat firmitatem, nec causæ aliquæ ad ejus audientiam perferan-
tur; si fuerit Advocatus, ejus patrocinium nullatenus admitta-
tur; si Tabellio, ejus instrumenta confecta per ipsum nullius pe-
nitus sint momenti, sed cum Autore damnato damnentur, Con-
cil. Lat. quartum, Can. 3. Concil. To. XI. p. 149, 150.

Hæreticis

Hereticis, and by the *Canon Law*, *Decretal. l. 5. tit. 7. cap. 13.*

§. XVI. Moreover, for the Security and the Encouragement of such as shall accuse them; Whereas, according to the Laws of *heathen Rome*, no Man could be condemned till he had his Accusers brought before his Face, they have decreed that the 'Names of the *Accusers of Hereticks* shall 'not be made publick either by Word or Sign, 'because this is the Pleasure of the *Apostolick See*.
 So *Concil. Narbon. A. D. 1235. Can. 22. Concil. Biter. A. D. 1246. cap. 10.* And whereas, in other Cases, by the *Laws of all Nations*, notorious Criminals, infamous and perjur'd Persons, were not to be admitted to give Testimony against others, especially in Matters of Life and Death: All Criminals, and infamous Persons, though Partakers with them in their Crimes, may be admitted to accuse and testify against the *Hereticks*, *Concil. Narbon. A. D. 1235. Can. 24. Concil. Bitter. A. D. 1246. cap. 12.*

Act. xxv.
16.

Concil. To. XI. p. 494, p. 689, 690.

Ibid. p. 494, 690.

§. XVII. Now suitably to these *Decrees* and *Principles* the *Pope* hath frequently proceeded, depriving *Civil Governours* of their Dominions, as being *Favourers of Hereticks*, or as neglecting to extirpate *Hereticks* out of their Territories. For * *Raimund*, Count of *Toulouse*, was excommunicated by *Innocent the Third*, 'because he was a Favourer of *Hereticks*, and his Dominions, by the 'Pope, were given to any Person who would seize 'them. In the Year 1210, the *Citizens of Toulouse* were by the *Council of † Avignon* excommunicated,

* *Raimundus*, Comes *Tolosanus*, *Albigensium* Fautor, jam sæpius excommunicatus, cum & ditionem suam cuiusvis occupanti à Pontifice concessam cerneret, &c. *Concil. To. XI. pag. 35.*

† In quo Concilio excommunicati fuerunt, & expositi, Cives *Tolosani*, pro eo quod ea quæ Legato, & Cruce signatis, promiserant, de expulsiōe *Hæreticorum*, adimplere contemplerant. *Ibid. p. 35.*

' because

' because they neglected to perform what they
 ' had promised concerning the Expulsion of He-
 ' reticks. In a Council held at *Vaur*, A. D. 1213.
 ' * *Arnaldus* the Pope's Legate, by the Apostolick
 ' Authority, doth admonish and command the
 ' King of *Arragon* to abstain from the Protection,
 ' Defence or Communion of *Hereticks*, threatening
 that ' otherwise he would pronounce against him
 ' the same *Censures* and *Ecclesiastical Punishments*
 ' which are denounced against them.' Yea the
 ' Pope himself informs him, that if he proceeded to
 ' be a † *Favourer* of *Hereticks*, he could not spare
 ' him, nor delay his *Punishment*; and that he might
 ' by the Example of others, who of late had oppo-
 ' sed themselves to God and the Church, perceive
 ' what great Danger hanged over his Head.'

The occasion of all this was as followeth; *Peter*,
 King of *Arragon*, solicits for *Raimund*, Count of
Toulouse, that he might be receiv'd into the Church,
 and for the * *Counts* of *Cominges* and *Fux*, ' That
 ' they might be restored to their own again.
 To this the Council answer, ' That Count *Comin-*
 ' *ges* had made a League with *Hereticks* and their
 ' *Favourers*, and that the Count of *Fux* was a Re-

* *Arnaldus* Apostol. Sedis Legatus, datis literis, Auctoritate
 Apostolica, Regem admonuit, quin etiam imperavit, ut à pro-
 tectione, defensione, communioneque Hæreticorum abstinere,
 alioquin easdem censuras & pœnas Ecclesiasticas in eum pronun-
 ciaret. Bin. To. VII. p. 792.

† Nec nos tibi contra Fidei Christianæ negotium possemus
 parcere vel deferre, quantum enim tibi immineret periculum,
 si Deo & Ecclesiæ, præsertim in causa Fidei, te opponeres —
 moderna possunt te exempla monere. Concil. To. XI. p. 95.

* Ut Comes Convenarum restitatur ad terram suam, ut
 Comes Fuxensis restitatur ad sua. Concil. To. XI. p. 82. Pro
 certo, intelleximus, quod Comes Convenarum Fœdus cum Hæ-
 reticis & eorum fautoribus contraxisset, constatque de Comite
 Fuxensi, quod Hæreticorum extitit à longo tempore Receptor,
 p. 83.

' ceiver of them, and therefore his *Majesty* ought
 ' not to intercede for them till they have satisfy'd
 ' the *Church*.' Whereupon the *King* sides with
 them, endeavouring to obtain by Force, what
 by Petition he could not obtain. In the Year
 1214. a *Council* met at * *Montpellier*, of five *Arch-*
bishops, and twenty eight *Bishops*, who chuse the
 ' *Count of Montfort*, *Prince* and *Monarch* of the
 ' *Dominions* of the *Count of Tolouse*, the fore-
 ' mentioned *Favourer* of the *Albigenses*, desiring
 ' the *Pope's* Legate to confirm their Choice. He,
 having no Instructions touching this matter, ac-
 quaints the *Pope* with their Request, who doth
 immediately commit to him the Custody, and al-
 low him the Benefit of those Dominions, refer-
 ring the matter of the *Title* to the Decision of
 the fourth general *Council* of *Lateran*, then called,
 and the next Year assembled, which resolves the
 Case thus; ' That the *Pope* shall absolve the Sub-
 ' jects of such *Favourers* of *Hereticks* from their
 ' Allegiance, and expose their Territories to be
 ' enjoyed by *Catholicks*, who, having destroyed
 ' the *Hereticks*, shall possess it without any Con-
 ' tradition, so that no Injury be done to the
 ' Principal Lord, who in this Case was the *French*
King. In a *Council* held in the Province of † *Nar-*

Concil. To.
XI. p. 148,
 149.

* In hoc tandem omnium & singulorum vota & consilia con-
 venerunt, ut nobilem Comitem Montisfortis eligerent in totius
 terræ illius Principem & Monarcham. — Postquam ergo Archi-
 episcopi & Episcopi elegerunt prænobilem Comitem, instantissi-
 me requisierunt à Legato, ut ipse statim traderet totam terram
 eidem Comiti. — Dominus Papa — commendabat Comiti
 Montisfortis custodiendam, donec in Concilio generali, quod
 in Kalendis Novembris illius anni, Romæ convocaverat, de
 terris prædictis plenius ordinaret. *Concil. To. XI. p. 104.*

† Statuimus & præcipimus observari districte, ut *Raimundus*,
 filius *Raimundi*, quondam Comitis Tolosani, Comes *Fuxensis*,
 &c. Tolosani Hæretici, Credentes, Fautores, Defensores & Re-
 ceptatores eorundem, Candelis accensis, pulsatis Campanis, de-

bon,

bon, An. Dom. 1227. ' *Raimund, the Son of Raimund, Count of Tolouse, the Count of Fux, the Hereticks of Tolouse, and the Receivers, Believers, Favourers, Defenders of them are denounced excommunicate by Bell, Book and Candle, and are exposed, as to their Goods and Persons, to every one that can seize on them.*

A. D. 1281. † *Martin the Fourth doth pass the Sentence of Excommunication, actually incurr'd against Michael Paleologus, as being a Favourer of those Schismaticks, the Greeks, and therefore a Maintainer of Hereticks, and of their Heresies and Schisms ---- and he, moreover, doth command all Kings, Princes, Dukes, &c. and all other Persons, of what Dignity, Condition, or Estate soever, under the Penalty of the same Excommunication, to make no Leagues or Confe-*

nuncientur excommunicati, & expositi cuilibet occupanti, tam in rebus quam in personis per singulas Parochias, singulis diebus Dominicis Festivis. Concil. Narbon. Can. 17. Concil. To. XI. p. 3081

† *Michaelem Paleologum, qui Græcorum Imperator nominatur, tanquam eorundem Græcorum, antiquorum Schismaticorum, & in antiquo Schismate constitutorum, & per hoc Hæreticorum, nec non & Hæresis ipsorum Schismatis antiqui Fautorem, de Fratrum nostrorum Concilio denunciamus Excommunicationis Sententiam latam a Canone incurrisse, ac ipsius fore Sententiæ vinculo innodatum. Caterum universis & singulis Regibus, Principibus, Ducibus, &c. & cæteris omnibus cujusunque sint præminentia, conditionis aut status, — districtius inhibemus, ne cum eodem Michaele Paleologo, in hujusmodi Excommunicatione manente, societatem vel confederationem aliquam contrahere sub quovis ingenio vel machinatione præsumant; — omnes & singulares personas contrarium facientes — Sententiam Excommunicationis, quam nunc in ipsos ferimus, volumus incurrere ipso facto — & nihilominus societates confederationum ipsas, etiamsi pœnarum & juramenti adjectione, vel quacunque fuerint alia firmitate vallatæ, decernimus irritas & inanes. Mart. Const. Unic. Bull. Rom. To. I. p. 182, 183. § 1, 2, 3.*

‘ deracies with him; pronouncing all such Con-
 ‘ federacies null and void, though they have been
 ‘ confirmed with an Oath, or any other Firmness
 ‘ whatsoever.

*Extrav.
 Com. l. 5.
 tit. 10.
 cap. 3.*

A. D. 1307. Clement the Fifth, by the Advice
 of his Brethren, doth pass the very same Sentence
 upon *Andronicus Paleologus*, the Emperor of the
Greeks, for the same Crime.

*Spond. an-
 nal. To. I.
 p. 418.
 §. 2.*

A. D. 1326. Castrutius, Governor of *Luca*, is
 condemned by the Pope's Legates, as a Persecu-
 tor of the Church, and a Favourer of *Hereticks*
 and *Schismaticks*, and is deprived of all his Digni-
 ties, and exposed to every one that would fall
 upon him.

*16. p. 791.
 §. 1.*

A. D. 1425. Martin the Fifth pronounceth a most
 heavy and severe Sentence against the Person and
 Kingdoms of *Alphonfus*, King of *Arragon*, as be-
 ing a Favourer of *Schism*.

*Apud Sp.
 To. II.
 p. 297.
 § 23.*

A. D. 1512. Julius the Second, having notice
 that the King of *Navar* favoured the Enemies of
 the Church, he recurred to that last Remedy
 which is wont to be used against Rebellious Princes,
 execrating the King and Queen of *Navar*, de-
 priving them of their Dominions, and exciting
 all Princes to seize upon the common Prey. * *Hen-*
ry the Third of France spared the Blood of *Pro-*
testants, and refused to declare his Successor un-
 capable of the Succession, though he was a *Pro-*
testant; wherefore *Sixtus the Fifth*, *A. D. 1585.*
 excommunicates him as a manifest Favourer of *He-*
reticks, and grants nine Years of true Indulgence
 to any of his Subjects who would bear Arms a-
 gainst him, and doth absolve them all from their Al-

* Tanquam Sectariorum Fautorem & Defensorem publicum
 & manifestum. Vide Thuan. l. 82. p. 45. Bull. Sixti 5. edit.
A. D. 1585.

legiance to him. Upon this, his Subjects rebel against him, and *Fryer Clement* murders him.

A. D. 1592. *Clement* the Eighth declares, that *Henry* the Fourth of *France* was unworthy of the Kingdom, as being a Destroyer of the Orthodox Faith, and a Favourer of *Hereticks*, and therefore he commands the Election of another. Spond.
ibid.
p. 875.
§ 4.

A. D. 1570. * *Pius* the Fifth declares Queen *Elizabeth* a *Heretick*, and a Favourer of *Hereticks*, and for that Cause deprived of all Dominion, Dignity and Privilege whatsoever, and her Subjects absolved from their Oaths, and from all Duty, Allegiance and Obedience, by that Oath due unto her.

§ XVIII. Let it be then considered, that though *Councils* join with *Popes* in the making of *Canons*, yet by the *Constitution* of that *Church*, the *Pope* alone is he to whom belongs the Execution, and the authentical Expounding of those *Canons*, as they must be reduced to Practice : And that the *Pope* is authorised by their † *Councils*, both to in-

* Declaramus prædictam *Elizabetham* Hæreticam, Hæreticorumque Fautricem, prætenso Regni prædicti jure, nec non omni & quocunque Dominio, Dignitate, Privilegioque privatam, & etiam Proceres, Subditos & Populos dicti Regni qui illi quomodocunque juraverunt à Juramento hujusmodi, ac omni prorsus Dominii, Fidelitatis, & Obsequii debito, perpetuò absolutos. *Bull. Pii Quinti. Bullar. To. 2. p. 303.*

† Nos enim unum Ecclesiæ corpus sumus, & ipse hujus corporis caput sub capite *Christo*, quicquid igitur sit ab hoc corpore Ecclesiastico, ab ipso magis quam ab alio corporis membro procedere censetur, itaque non secus Synodalia Decreta pro suo debito & honore exequi debet, ac per alios servari facere, quam si ab ore proprio dictata & promulgata essent. *Resp. Synod. Basil. apud Biniū, To. 8. p. 141. A. C. D.*

Quoties aliqua de universalis Synodo aliquibus dubitatio nascitur, ad recipiendam de eo quod non intelligunt rationem, ii qui salutem animæ suæ desiderant, ad Apostolicam sedem pro recipienda ratione conveniant. *Decret. part 1. dist. 17. cap. 4.* Si quid eos de judicio universalis Synodi quod *Constantinopoli* per

terpret and to execute their *Canons* during the Interval of their *Sessions*. And then, this being well considered, you will find reason to conclude, that their whole *Church* is very much concerned in what the *Popes* do practise by virtue of those *Canons*, or in pursuance of them. And unless that Practice of the *Popes* in Execution of the *Canons*, which is allowed by *Councils* themselves, during the Intervals of their sitting, may be reputed the Practice of their *Church*, I cannot imagine how they can impute any thing to their *Church* which is not done in *Councils*: And if that only which is done in *Councils* must be reputed as done by the *Church*, the *Church* must wholly be unactive in the Intervals, and unable to exercise any Authority by virtue of such *Canons* as have no *Authentical Expofitor*, and no Man *authorised* to execute them.

§ XIX. Moreover, though any *Prince*, who hath embraced the *Romish Faith*, should promise not to prosecute his *Protestant Subjects* according to the Tenor of these severe and sanguinary Laws, yet cannot his most solemn Promises give to them any just Security of Freedom and Exemption from these Punishments. This will sufficiently appear, if we consider,

1. *That the same impulse of Conscience that makes a Man a R. Catholick, will also make him act like one when he hath opportunity to do it; it therefore must*

primam nuper elapsam indictionem actum est, forte movebat ad Sedem Apostolicam Electis aliquibus de suis dare & accipere rationem possent dirigere debuerant. *Decret. part 2. caus. 23. qu. 5. cap. 43.*

Si in his recipiendis aliqua difficultas oriatur, aut aliqua inciderit quæ ad declarationem, quod non credit, aut definitionem postulant, confidit Sancta Synodus B. R. pontificem curaturum; *Eccl. Synod. Trident. Sess. 25. p. 648.*

engage him to believe that the *Decrees* of * general Councils concerning the Punishment of *Hereticks* must in themselves be just and equitable, and fit to be observed by him, and that the practice of the whole *Roman Church*, pursuant to them, for the space of three whole Centuries, must be a cogent Demonstration of the Reception and Approbation of those Laws throughout all *Catholick Kingdoms*; that he who doth not punish *Hereticks*, according as these Laws require, must be guilty of the Crimes with which these Laws do charge him, and well deserves the Punishments they have decreed against him; and that whosoever doth exterminate and punish *Hereticks*, as they encourage him to do, shall certainly obtain the Blessings which they promise to him for that Act. How can a *Papish Prince* abstain from thus reflecting with himself? Either the *R. Councils provincial* and

* Nec quisquam illud dicere presumat quod aliquod generale Concilium legitime congregatum errare possit, quia si hic perniciosus Error admitteretur tota Fides Catholica vacillaret, nec aliquid certi in Ecclesia haberemus, quia qua ratione errare potest unum, possint errare & reliqua Concilia. *Basil. apud Bin. To. 8. p. 128.* Blasphemia esset, si quis negaret Spiritum Sanctum dicere Sententias Canones & Decreta Conciliorum. *Ibid. p. 131.* Hæreticum illum fateri debetis qui putat Concilium generale in his quæ ad Fidem seu bonos mores N. B. pertinent posse errare, p. 135. Est certa regula, indeficiens mensura, Cunctos fideles rectissime regulans, quæ credenda aut agenda sunt saluberrime demonstrans, p. 206. De Hæresi suspectum rogari vult Concilium Constantiense utrum credat quod illud quod Sacrum Concilium universalem Ecclesiam representans approbat in favorem Fidei & salutem Animarum sit ab universis *Christi* fidelibus approbandum & tenendum, & quod condemnat esse Fidei & bonis moribus contrarium hoc ab iisdem esse tenendum pro condemnato. *Sess. 45. Bin. Concil. To. 7. p. 1124.* Cætera item omnia ab Oecumenicis Conciliis, ac præcipue a sacrosancta Tridentina Synodo tradita, definita & declarata, indubitanter recipio, atque profiteor; simulque contraria omnia, atque Hæreses quasunque ab Ecclesia damnatas & rejectas & anathematizatas, ego pariter damno, rejicio & anathematizo. *Pii quarti forma Juramenti professionis fidei ab Ecclesiasticis R. Ecclesiæ suscepti.*

general, and the great *Monarch* of the *Church* do well in animating and exciting all *R. Catholics* to fight against all *Hereticks*, expel them out of their Dominions, and execute these Laws upon them; and in proposing the Rewards forementioned, as Blessings certainly to be obtain'd by all who do engage under the Banner of the *Cross* for their Destruction. And all the *Roman Catholics* did well, who, in Obedience to their Commands, and Expectation of these Blessings, hazarded, and lost their Lives, by their Endeavours to extirpate *Hereticks*, or who did murder and massacre so many millions of *Hereticks*. And consequently, I also shall do well, and may expect these Blessings, by acting as they did; or else these *Hopes* and *Councils*, and all those *R. Catholics*, who fought, or acted, or did encourage others to act thus against all *Hereticks*, were truly guilty of all the *Christian* Blood which in those Wars, between the *Heretick* and *Catholic*, was spilt, and all the barbarous *Massacres* and horrid *Murthers* which have been committed upon *Hereticks*. And if so, Why do I own that *Church*, that *Pope*, those *Councils*, who have been guilty of these horrid Crimes, and these notorious *Marks* of *Antichrist*; and which hath often *sainted*, but never in the least discountenanced, but kept communion and good correspondence with the *Authors* of them.

2. This further will appear, if we consider that the same *Principles* which do oblige a *Papish Prince* to own that Faith, oblige him also to execute these sanguinary Laws upon the *Heretick*, whatsoever Promises or Obligations he hath made unto the contrary. That he is subject to a Power which can absolve him from all Obligations of this nature which he at any time shall make, and which already hath declared that it is not in his power to make them, or to observe them when they have been

been made. That they are prejudicial to that *superior Tribunal* of the *Church* to which he must be subject, and made concerning *Heresy*, of which, as being a Spiritual Concern, he must not judge, nor of the Punishments belonging to it, or of the Lawfulness of the Suspension of those Punishments. All this 'tis easy to demonstrate. And,

1. According to plain Reason, *When two Princes, that have distinct Tribunals, make Laws or Constitutions thwarting one the other, the Constitutions of the inferior Tribunal must give place to those of the superior*: but by the Principles of the Communion of the *Roman Church*, the *Ecclesiastical Tribunal* is superior to that of *Princes*; since then it is decreed by that *Tribunal*, as we have seen already, that all *Catholick Princes* shall faithfully endeavour to extirpate *Hereticks* from their Dominions, and that all *Constitutions* made to the contrary are *ipso facto* void; no *Constitutions* made by *Princes* in favour of *Heretical Subjects* can be observed by them, or be of any moment in prejudice to the Determinations of the *superior Tribunal* of the *Church*. Now that, according to the Principles of *R. Catholics*, the *Ecclesiastical Tribunal* is superior to that of *Princes*, is evident.

1. From express Declarations of the *Church* in her most general and approved *Councils*. * *Ægidius Viterbiensis* saith, with the great applause and approbation of the Fifth *Lateran Council* under *Julius* the Second, that *no Kings, or Princes can neglect the Commands, or refuse the Authority of their general Councils*. The *Council* of † *Constance* declares,

* Cujus quidem nulli Reges, nulli Principes possunt vel Decreta contemnere, vel Jussa negligere, vel Autoritatem detrectare. *Apud Bin. To. 9. pag. 11.*

† Ipsa Synodus in Spiritu Sancto legitimè congregata—potestatem a Christo immediatè habet, cui quilibet, cujuscunque status vel dignitatis, etiamsi Papalis existat, obedire tenetur in his
‘ that

‘ that, being a general *Council*, it hath Power immediately derived from *Christ*, which every Person of what State or Dignity soever he be, even his *Holinefs* himself, is bound to yield obedience to, in matters which concern Faith, the Extirpation of the present *Schism*, and the Reformation of the *Church*. The general *Council* of * *Basil*, in the second Session, renews the same Decree: And Session 12th, doth challenge, ‘ by virtue of the Omnipotent God, immediate Power over all faithful *Christians*: And, Session 33d they declare this to be ‘ a Doctrine of the *Catholick Faith*, ‘ which he that pertinaciously resists is a *Heretick*: And Session 45th they add, ‘ that it is an Article ‘ which cannot be neglected, without the loss of ‘ Salvation.

2. This will appear from exprefs Acts of Jurisdiction exercised by them over *Kings* and *Princes*, for to omit the frequent *Excommunications*, and Sentences of Deprivations pass’d upon *Emperors* and *Kings* in the Fourth general *Council* of *Lateran*, *Can.* 3. in the general *Council* of *Lions*, *Conc. To.* XI. p. 645. in the *Council* of *Pisa*, *Sess.* 14. in the general *Council* of *Constance*, *Sess.* 12, 17, 37. of *Basil*, *Sess.* 27, 34, 40, 41. all which exprefly have decreed, that *Emperors* and *Kings*, for Misdemean-

quæ pertinent ad fidem, & extirpationem dicti Schismatis, & reformationem generalem Ecclesiæ Dei in capite & membris, *Concil. Const. Sess.* 4, 5. *Basil. Sess.* 2.

* Hæc Sancta Synodus in virtute Omnipotentis Dei, a quo super omnes *Christi* fideles immediate potestatem vendicat, &c. *Concil. Basil. Sess.* 12. *Bin. To.* 8. p. 39. F. Veritas de potestate Concilii generalis universalem Ecclesiam repræsentantis super Papam, & quemlibet alium, est veritas fidei catholicæ—veritatibus duabus prædictis pertinaciter repugnans, est censendus Hæreticus. *Ibid. Sess.* 33. p. 95. F. A. Hic Articulus de quo disceptamus fidem concernit, qui sine interitu salutis negligi non potest. *Ibid. Epist. Synod. p.* 139.

ors mentioned there, *shall lose their Dignity and Honour, and be deprived of their Government*; I say, to pass by this, they frequently demonstrate their supposed Power over them by laying their Commands upon them; *We enjoin Princes*, saith the Fourth * *Lateran Council*, cap. 67. and the *Council of Vienna*. *We command secular Princes*, saith the Fourth *Lateran Council*, cap. 68. *We peremptorily enjoin them*, saith *Julius the Second*, with the Approbation of the Fifth *Lateran Council*. *We command that they be compelled by the secular Power*, saith the Fourth *Lateran Council*, cap. ult. and the general *Council of Lions*, cap. *Super Cruciata*.

3. Their *Canon Law* is full of *Constitutions* to this effect, declaring, that, † ‘When the things of God are treated of, the King must study to subject his Will to the Will of the Priests, and not prefer it before theirs; that the Law of Christ sub-

* Per censuram Ecclesiasticam compellantur seculares Potestates. *Concil. Lat. quartum*, cap. 3. Principibus injungimus, cap. 67. Præcipimus Præsumptores hujusmodi, per Principes seculares compesci, cap. 68. Per secularem compelli præcipimus potestatem, cap. ult. Principibus injungimus, *Concil. Viennense apud Bin. To. 7. p. 870*. Per secularem compelli præcipimus potestatem. *Concil. Lugdun. Bin. To. 7. p. 858*. Eis (Principibus & Regibus) in virtute sanctæ obedientiæ, autoritate a Deo universali Ecclesiæ concessa, districte præcipiendo mandamus, *Concil. Basil. Bin. To. 8. p. 207*. Sacro approbante Concilio. Nos laicos—cujusunque dignitatis, etiamsi Regalis extiterint,—peremptorie—requirimus, *Concil. Lat. quintum, apud Bin. To. 9. p. 48, 49*. Cogantur omnes Principes, *Concil. Trid. Sess. 25. De Reform. cap. 20*.

† *Lemma*. In Ecclesiasticis causis Regis voluntas Sacerdotibus est postponenda.

Certum est hoc rebus vestris esse salutare, ut cum de causis Dei agitur, juxta ipsius constitutionem, Regiam voluntatem Sacerdotibus Christi studeatis subdere, non præferre. Ecclesiasticam formam sequi, non huic humanitus sequenda jura præfigere, neque ejus Sanctionibus velle dominari, cujus clementiæ voluit Deus tuæ piæ devotionis colla submittere. *Decret. part 1. dist. 10. cap. 3*.

jects

jects *Kings* to the Priesthood of *Christ*, and puts them under their Tribunals; that *Christian Emperors* ought to subject their Executions to the *Prelates* of the *Church*, and not prefer them to theirs, because *God* would have them to be subject to the *Priests* of the *Church*. By the same Law it is determined that * *Kings* must follow the *Church* Form, and not prescribe human Laws to her, nor seek to domineer over her *Constitutions*, but submit their Necks to her Clemency. And, that they ought to yield Obedience to the Laws of the *Church*, and not exalt their Power above her.

2. According to the Principles of that Communion, all Princes must submit to, and obey the Definitions of their general *Councils*, and the Determinations of the *Church* in Cases Spiritual, because she is their only Guide in Spirituals: This being therefore a spiritual Case, viz. how far the *Civil Magistrate* doth stand obliged to punish *Hereticks*, the *Romish Prince* must stand to her determination in that matter, and therefore is obliged to act according to the Decrees forementioned, which firmly are establish'd by the *Church*, whatsoever Promises or Oaths he may have made unto the contrary. Now that the Cause of *Heresy*, and of the Punishments to be inflicted on the *Heretick*, is by them judged a *Spiritual Cause*, with which the *Civil Power* must not intermeddle, is

* *Lemma*. Imperatores debent Pontificibus subesse, non præesse.

Ad Sacerdotes Deus voluit quæ Ecclesiæ disponenda sunt pertinere, non ad seculi potestates, quas si fideles sunt, Ecclesiæ suæ Sacerdotibus voluit esse subjectas.—Imperatores Christiani subdere debent Executiones suas Ecclesiasticis Præsulibus, non præferre; obsequi solere Principes Christianos Decretis Ecclesiæ, non suam præponere potestatem, Episcopis caput subdere Principem solitum, non de eorum capitibus judicare. *Decret. part. 1. dist. 96. cap. 11, 12.*

evident

evident from that Decree of *Boniface* the Fifth, which strictly doth forbid ‘all Powers, Lords Temporal, and Rectors, with their Officers, to judge or take cognizance of that Crime, it being merely Ecclesiastical, or to free them out of Prison without the Licence of the Bishops or Inquisitors, or to refuse to execute the Punishments enjoyned by them, or any way directly or indirectly to hinder their Process or Sentence, under the pain of Excommunication, which if they obstinately lye under for a Year, they are to be condemned as Hereticks; and this Decree is taken into the Body of the Canon Law, and is confirmed by the general Council of *Constance*, Sess. 45. ‘The Crime of Heresy must be judged only by the Ecclesiastical Court, and the Secular must not meddle with it, saith *Gregory* the Fourteenth, *Const.* 7. § 6.

Sexti Decretal. l. 5. tit. 2. cap. Inquisitionis negotium.

Bull. Rom. To. 7. p. 738.

3. No Promises, Oaths or Engagements can oblige to the omission of that which is our Duty, by the Confession of all Christians, they cannot bind, * saith their own Canon Law, to any thing which is against the benefit of Holy Church; for according to the Determination of *Innocent* the Third, received into the Body of that Law, ‘they are not to be called Oaths, but Perjuries, which are attempted against the Benefit of the Church. † They cannot bind against the Right of a Superior, for the same Law declares that in any Oath that is taken, the Right of the Superior must be supposed to be excepted; they cannot bind against the Law, or the Canonical Sanctions, for otherwise, saith the same Law, * it is a rash

* Non juramenta, sed perjuria potius dicenda sunt, quæ contra utilitatem Ecclesiasticam attentantur. *Decretal. l. 2. tit. 24. cap. 27. quia non.*

† Juramentum prædictum vos excusare non potest, in quo debet intelligi jus Superioris exceptum. *Ibid. cap. 19.*

* Debet ita intelligi, ut non obviet juri, alias tanquam temerarium non obligat. *Cap. 21. ad nostrum.*

‘Oath,

* *Oath*, and is not valid. Since then, according to the Doctrine of the *Church*, 'tis the Duty of all *Catholick Princes* to punish and extirpate *Hereticks*; they cannot be obliged by any Oath or Promise to neglect that Duty, since this Neglect is against *Law* and the *Canonical Sanctions*, against the plain Determinations of the *Supreme Tribunal*, and against the benefit of *Holy Church*, no Oath or Promise can oblige them to it. And,

4. They who do claim a Power to absolve *Catholick Princes* from their Contracts, Leagues and Engagements made to *Heretical Princes*, must have an equal Power to absolve them from Contracts made with their own *Heretical Subjects*, for sure the Contracts made with Equals must be more firm than those which we have made to our Inferiors; but the *Pope* claims, and oft hath exercised this Power of *absolving Catholick Princes* from their Contracts made with other *Princes* on this account, because they were made with *Hereticks*, or Persons excommunicate. *Ergo*, &c. To give some few Examples of this matter, the Bull of † *Urban the Sixth* concerning this matter runs thus; ' Amongst the

† Inter sollicitudines varias quibus assidue premimur, illa potissimum excitat mentem nostram, ut circa salutem animarum *Christi* fidelium sollicitis studiis intendamus, & ne fideles ipsi ex consortio & participatione Schismaticorum seu Hæreticorum labefactari valeant, adhibeamus remedia opportuna. Ad nostrum nuper pervenit aditum, quod tam *Wencelaus*, Roman. & Bohem. Rex, quam *Carolus R.* Imperator, simul, vel successive, nonnullas confœderationes, vel colligationes, seu ligas, aut conventiones cum diversis Regibus, Principibus, &c. fecerunt, & quod aliqui ex hujusmodi Regibus, Principibus, &c. tunc erant, seu postea sunt effecti Schismatici seu Hæretici manifesti, & ab unitate sanctæ R. & universalis Ecclesiæ separati: nos igitur attendentes quod hujusmodi confœderationes, colligationes & ligæ, seu conventiones factæ cum hujusmodi Hæreticis aut Schismaticis, postquam tales effecti erant, sunt temerariæ, illicitæ, & ipso jure nullæ, & si forte ante ipsorum lapsum in schisma seu hæresin factæ fuissent, etiamsi forent juramento seu fide data firmatæ, aut confirmatione Apostolica, vel quacunque firmitate alia roboratæ,

many

' many Cares which we continually are prest with,
 ' our chief concernment is, to provide fit Reme-
 ' dies for the preventing the Subversion of the
 ' Faithful by consorting, or by participating with
 ' *Schismaticks* or *Hereticks*: and truly we have late-
 ' ly heard, saith he, that *Wencelaus*, King of the
 ' *Romans* and *Bohemians*, and *Charles* the *Emperor*
 ' have entred into some Confederacies, Leagues,
 ' Compacts or Conventions with divers *Kings*,
 ' *Princes*, *Dukes*, *Earls*, *Grandees* and *Nobles*;
 ' some of which *Kings*, &c. then were, or after-
 ' wards have become manifest *Hereticks* and *Schif-*
 ' *maticks*, being separated from the Union of the
 ' *Roman Church*, though not by us declared such;
 ' we therefore, considering that such Confedera-
 ' cies, Leagues, Compacts or Conventions made
 ' with these *Hereticks* and *Schismaticks*; after they
 ' were such, are rash, void and null by Sentence
 ' of the *Law*; but if they were made before their
 ' falling into *Schism* and *Heresy*, and confirmed by
 ' an *Oath*, or by the *Apostolick See*, or by whatso-
 ' ever firmness, as soon as they become guilty of
 ' these Crimes, the *King*, and all that with him

postquam tales, ut præmittitur, sunt effecti, eo ipso tam idem
 Rex, quam alii, qui forsitan unà cum eo hujusmodi confœdera-
 tiones & cum talibus inierunt, & ad quos tales confœderationes
 quomodolibet extendi possunt, ab earum observatione absoluti
 existunt--- eundem Regem & omnes alios quorum interest, vel
 interesse poterit, autoritate Apostolica, tenore præsentium de-
 claramus fuisse & esse ab earundem confœderationum, colligati-
 onum, ligarum, seu conventionum observatione penitus abso-
 lutos, & ad eorum observationem aliquatenus non teneri, illas-
 que quatenus de facto processerunt, cassamus, revocamus, ac
 nullius esse decernimus firmitatis; & tam eidem Regi quam e-
 tiam omnibus hujusmodi aliis quorum interest, seu interesse po-
 test, tenore præsentium districtius inhibemus, ne confœdera-
 tiones, colligationes, ligas aut conventiones hujusmodi aliqua-
 tenus observent, seu ab aliis servari quomodolibet permittant.
Bulla Urbani Sexti in Biblioth. D.R. Cotton. Vide Crackenthorp.
Defens. Eccles. Angl. cap. 83. p. 626, 627.

' have

‘ have entred into these Compacts, is absolved from
 ‘ the observation of them, and ought not to observe
 ‘ them: Therefore we, by our *Apostolical Authority*,
 ‘ declare the said *King* absolved from them, and the
 ‘ Compacts themselves to be wholly void and null.
 Pope *Martin* the Fifth, in his *Epistle* to * *Alexander*
 Duke of *Lithuania*, who had received the *Bohe-*
mians into his Protection, writes thus; ‘ If thou
 ‘ hast been any ways induced to promise to de-
 ‘ fend them, know, that thou couldest not pawn
 ‘ thy Faith to *Hereticks*, the Violators of the Holy
 ‘ Faith; and that thou mortally offendest, if thou
 ‘ dost observe it.’ When † *Uladislaus*, King of
Hungary, had made Peace with *Amarath* the *Turk*
 for Ten Years, and had confirmed it with an Oath;
 The Pope * *Eugenius* the Fourth writes to *Julian* the
Cardinal, to perswade him to violate that Peace,
 alledging and declaring, ‘ that no League made
 ‘ with the Enemies of the *Christian Faith*, without
 ‘ consulting with the *Pope*, is valid: Hereupon
 the poor *King* is prevailed with to become a most

* Quod si tu aliquo modo inductus, defensionem eorum sus-
 cipere promissisti, scito, te dare fidem Hæreticis, Violatoribus
 sanctæ fidei, non potuisse, & peccare te mortaliter si servabis.
Cochleæus Hist. Hussit. l. 5. ad An. 1423. Spondan. *ad An.* 1422.
 § 1. p. 779.

† Fœdus cum *Amarathre* in decem annos ab *Uladislaus* ini-
 tum, idemque sanctissimis juramentorum vinculis utrinque fir-
 matum erat. *Æneas Sylv. ep.* 81. Bonfin. l. 3. dec. 6. Spon-
 dan. *ad An.* 1444. § 3. p. 904.

* *Æn. Sylvius* ait *Eugenium* R. Pontificem—ea re audita,
 scripsisse *Juliano*, nullum valere fœdus quod se inconsulto cum
 hostibus Religionis percussum est, *Uladislaus* Regi, uti conventa
 dissolveret, imperasse, juramenta remisisse, novum instaurari
 bellum tum precibus, tum minis extorsisse. Spond. *ad An.* 1444.
 § 10. p. 907. *Julianus* Cardinalis ait fas esse quandoque publica
 salutis gratia, neque stare pactis quæ illi contraria, neque perfidi-
 dis fidem servare—ac ne qua Rex, procereſque tenerentur ius-
 jurandi Turcis præstiti Religione, ea se illos auctoritate Ponti-
 ficis, cujus legationeungebatur, liberare. Spondan. *ibid.* p. 905.

perfidious

perfidious Wretch, and fall upon the *Turk* un-
 awares, which he observing, and, being straitned
 in his Armes, pulls out the Articles of the Cove-
 nant, and, looking up to Heaven, cries out, *
 ‘ O crucified *Jesus*, see the Perfidiousness of
 ‘ this Nation, which, against their *Oath*, have
 ‘ violated all Right and Faith; and if thou
 ‘ art a *God*, do thou revenge this *Perjury* upon
 ‘ them. Which was no sooner said, but the *Chri-*
stians were put to Flight, the perjur’d *King*, and
 the *Cardinal*, who persuaded him to violate his
Oath, were both slain; *God* teaching us by this
 Example, saith † *Æneas Sylvius*, that *Oaths* are
 to be kept, when made, not only with the Faith-
 ful, but with Enemies. Pope *Innocent* the Third,
 in his *Epistle* to *Peter*, King of *Arragon*, writes thus:
 ‘ * We enjoyn thy Serenity, by virtue of the *Holy*
 ‘ *Spirit*, that thou desert the forenamed People
 ‘ of *Tolouse*, and that thou do not afford them
 ‘ any Counsell, Aid or Favour, whilst they conti-
 ‘ nue as they are, notwithstanding any Promise
 ‘ or Obligation whatsoever made unto them, in
 ‘ Elusion of the *Ecclesiastical Discipline*. *Paul* the
 Third, in his *Bull* against *Henry* the Eighth, edit.
 A. D. 1538. † ‘ exhorts and requireth, in the

A. D.

1213.

* Hæc sunt, *Jesu Christe*, fœdera quæ Christiani tui mecum
 percussere, per nomen tuum sancte jurantes; nunc, si Deus es,
 tuas measque hic injurias, te quæso, ulciscere. Bonfin. *Ibid.*

† Juraamenta non solum domesticis fidei, sed & hostibus ser-
 vanda. *Ibid.*

* Serenitati tuæ, in virtute Spiritus Sancti, sub obtentu Divi-
 næ ac Apostolicæ Gratiæ providimus injungendum, ut prænomi-
 natos deseras Tolosanos, non obstante promissione, vel obliga-
 tione quacunque præstita, in elusionem Ecclesiasticæ Disciplinæ;
 444 ipsiis quamdiu tales extiterint non impensurus concilium, auxili-
 um vel favorem. *Concil. To. XI. p. 94.*

† Omnes & singulos Christianos Principes, quacunque etiam
 Imperiali & Regali Dignitate fulgentes, hortamur, & in Domi-
 no, requirimus,—ne *Henrico* Regi per se, vel alium seu alios,

H

‘ Lord

‘ Lord, all *Christian Princes* shining in Imperial or
 ‘ Regal Dignity, that they do not, under Pre-
 ‘ tence of any Confederations or Obligations
 ‘ whatsoever, although corroborated by frequent-
 ‘ ly repeated *Oaths*, or any other Firmness, I say,
 he doth exhort them, ‘ not to yield to King
 ‘ *Henry*, his Accomplices, Favourers, Adherers,
 ‘ Consultors or Followers, or any of them, by
 ‘ themselves or others, openly or secretly, di-
 ‘ rectly or indirectly, tacitly or expressly, any
 ‘ Counsel, Aid or Favour: And that they might
 not think themselves obliged so to do, he ‘ ab-
 ‘ solves them all from all Oaths or Obligations
 ‘ made or to be made unto him or them, and de-
 ‘ clares them to be void and null, and of no
 ‘ Strength and Moment.’ And lastly, *Pius* the
 Fifth absolves not only all the Subjects of Queen
Elizabeth, but also ‘ all others who had in any
 ‘ sort sworn to her.

*Ceteros
 Omnes qui
 illi quomo-
 docunque
 jurave-
 runt, Vide
 supra,
 § 17.*

§. They who do claim a Power to absolve Sub-
 jects from these Promises and Oaths by which
 they were obliged to yield Obedience to their
Heretical Princes, must have an equal Power to ab-
 solve *Catholick Princes* from their Promises and
 Oaths made to *Heretical Subjects*, for sure the Ob-
 ligation of *Princes* to their *Subjects* cannot be grea-
 ter than is that of *Subjects* to their *Prince*: Now
 it is known, that *R. Popes* and *Councils* claim the

publice vel occulte, directe vel indirecte, tacite vel expresse, e-
 tiam sub pretextu confederationum aut obligationum quarum-
 cunque, etiam juramento, aut quavis alia firmitate roboratarum
 & sæpius geminatarum, consilium, auxilium vel favorem quo-
 modolibet præstent. *Bull. § 15. ubi supra.*

A quibus quidem obligationibus & juramentis omnibus, nos
 eos & eorum singulos.—per præsentis absolvimus, ipsasque con-
 federationes & obligationes tam factas quam in posterum fa-
 ciendas,—nullius roboris vel momenti, nullasque, irritas, cassas,
 inanes, ac pro infectis habendas fore decernimus & declaramus.
Ibid.

Power

Power of absolving Subjects from that Obedience which they have sworn to yield to their *Heretical Superiors*: *Ergo*, by the same *Principles* they must have Power to absolve *Catholick Princes* from those Promises and Oaths which they have made to their *Heretical Subjects*. To give some Instances of this kind, * 'Let them know, saith *Gregory* the Ninth, ' who were bound by any Bond, how firm soever, ' to Persons manifestly fallen into *Heresy*, that ' they are absolved from that Fidelity, Obedience and Homage which they were obliged to ' pay them: ' And this Decree is put into the Body of the *Canon Law*, and hath, saith † *Singleton*, been still commended and observed in the *Church Practice* about 400 Years. The Truth and Modesty of which Assertion, as to the Limitation of it to 400 Years, will be abundantly made good by the following Instances.

In the Eighth Century, *Sigonius* and others do inform us, that * ' *Rome*, and the *Roman Dutchy* ' were lost by the *Grecians*, by reason of their ' wicked *Heresy*, and got by the *Pope* of *Rome*. ' That wicked *Heresy* of *Leo Isiaurus*, which lost him the *Empire* of the West, was this, that he forbad the Adoration of Images, and pull'd

* Absolutos se noverint à debito fidelitatis, & totius obsequii quicumque lapsis manifesto in hæresin, aliquo pacto, quacunque firmitate vallato, tenebantur obstricti. *Decretal. l. 5. tit. 7. cap. 16.*

† Tota Ecclesia plusquam quatuor seculis hoc Decretum recepit, laudavit, & in praxi servavit. *Discuss. Decret. Concil. Lat. p. 98.*

* Ita Roma, Romanusque Ducatus à Græcis ad Romanum Pontificem, propter nefandam eorum hæresin impietatemque pervenit. *Sigon. de Regno Italiae, lib. 3. Et rursus*, Extabant præclara, *Gregorii 2. & 3. exempla*, qui *Leoni Isiauro Imperatori* Sacris interdicere, & juramenta Italiae obedientia spoliare non dubitârunt, uno eo crimine, quod Imaginibus se inimicum præbuisset, *l. 9. p. 219.*

them down every where, for this * *Gregory* the Second perswades the *Italians* to revolt from him, as being a *Heretick*, absolves them from their Oaths of Obedience to him, and strictly doth forbid them to pay him any Tribute or Obedience; whereupon they, rejecting the *Emperor*, do bind themselves by Oath to be obedient to the *Pope*. This is the Title by which the *Pope* holds *Rome* at present, even plain Rebellion and tyrannical Invasion of his Sovereigns Estate and Dominions. Now by this Action, saith *Baronius*, he left to Posterity a worthy Example, that *Heretical Princes* should not be suffered to reign in the *Church* of *Christ*, if, being warned, they were found pertinacious in Error.' The next Successor of *Gregory* the Second, was † *Gregory* the Third, who as soon as he had obtained the Papal Dignity, by the Consent of the *Roman* Clergy, deprived *Leo* the Third, *Emperor* of *Constantinople*, both of his *Empire* and the Communion of the Faithful, because he had swept away the Holy Images out of the *Church*.

In the Eleventh Century, *Gregory* the Seventh writes thus, * 'either King *Philip* of *France*, re-

* Romanis ipse persuadebat, si perstiterit *Leo*, ab eo tanquam Hæretico deficiant, ac tandem Italos jurejurandi religione absolvebat. *Blond. Decad. 10. lib. 1.* Ita dignum posteris reliquit exemplum ne in Ecclesia *Christi* regnare sinerentur Hæretici principes, si, sæpe moniti, in errore persistere, obstinato animo, invenirentur. *Baron. An. 730. § 40.*

† Hic statim ubi Pontificatum iniit, Cleri Romani consensu. N. B. *Leonem* Tertium, Imperatorem Constantinopolitanum Imperio simul, & Communione Fidelium privat, quod sanctas Imagines è sacris ædibus abraisset, & Statuas demolitus esset, quodque etiam de homæcio male sentiret. *Platina, p. 99.* Italia ab Imperatore Constantinopolitano, *Leone* hæretico Iconomacho, Auctore *Gregorio* Tertio, Papa defecit. *Onuphrius ad An. 731.*

* Aut Rex ipse, repudiato turpi Symoniacæ hæresis mercimonio, idoneas ad sacrum Regimen personas promoveri per-

jecting

jecting the filthy Merchandise of *Symoniacal Heresy*, will permit fit persons to be chosen into the Government of the *Church*, or the *French* will refuse to obey him any longer, unless they had rather cast away the *Christian Faith*, being smitten with the Sword of a general *Anathema*. Where you see plainly, that the *Pope* supposes *Heresy* to be a Crime sufficient not only to justify Subjects in their refusal of Obedience to their lawful *Prince*, but also to justify him in excluding them from the Communion of *Christians* who obey him.

In the Twelfth Century, to give the better Colour to the Deposition of *Henry* the Fourth and *Henry* the Fifth, it was first voted in a Council held at the *Lateran*, 1102. That it was *Heresy* to assert the Right of Lay-men to invest into Ecclesiastical Pre-ferments. And this Decree was renewed in a Council at **Vienna*, Anno Domini, 1112. and by another held at the *Lateran*, A. D. 1116. and, in pursuance of these Decrees, were these two Emperors deposed. But notwithstanding all the Thundrings of *Paschal* the Second against *Henry* the Fourth, the *Church* of *Leod* stood firm to him, which so incensed the good *Pope*, that he writes to *Robert*, Count of *Flanders*, to expel those *Schismatics* out of the *Church*: his Words are these; † ' It is just that they who have separated them-

Bin. To. 7.
p. 533.

Pag. 554.

mitter, aut Franci pro certo, nisi fidem Christianam abjicere maluerint, generalis Anathematis mucrone percussi, illi ulterius obtemperare recusabunt. Greg. 7. Epist. l. 1. Ep. 35. Concil. To. 10. p. 34.

* Distante Spiritu S. investiturum omnem rei Ecclesiasticæ de manu laica, hæresin esse judicamus. Concil. Vien. Bin. To. 71. p. 549.

† Nam in hac non tantum parte, sed ubique, cum poteris, Henricum hæret corum Caput, & ejus Fautores pro viribus persequaris, nullum profecto gratias Deo sacrificium offerre pote-

' selves from the *Catholick Church*, should be sepa-
 ' rated from the *Churches Benefices*; wheresoever
 ' therefore thou art able, do thou persecute *Hen-*
 ' *ry*, the Head of the *Hereticks*, N. B. and all
 ' his *Favvurers*, with all thy Might, for truly
 ' thou canst offer no more acceptable Sacrifice to
 ' God, than by impugning him who hath lifted up
 ' himself against God; who by the Judgment of
 ' the *Holy Spirit* (*O horrid Blasphemy*) is cast out
 ' of the *House of God* by the *Princes of the Apo-*
 ' *stles* and their *Vicars*; this we command thee to
 ' do for the obtaining the Remission of thy Sins,
 ' and the Familiarity of the *Apostolick See*, which,
 as it seems, cannot be more effectually obtained by
 any thing than by *Rebellion* against God's *Vice-ge-*
rent, and persecuting him with all our Might.

In the Thirteenth Century, in the Year of our
 Lord, 1245. Pope *Innocent* the Fourth assembles a
 general *Council* at *Lyons*, where he declares the
 Emperor *Frederick* the Second guilty of *Heresy*,
 ' * because he violated his *Oaths*, and because he

ris, quam si eum impugnes qui se contra Deum erexit, qui Ec-
 clesiae Dei Regnum auferre conatur,---qui à Principibus Dei,
 sanctis Apostolis, eorumque Vicariis de Ecclesiae domo Sancti
 Spiritus iudicio expulsus est. Hoc tibi, & militibus tuis in pecca-
 torum remissionem & Apostolicae sedis familiaritatem praeci-
 pi-mus, ut his laboribus ac triumphis ad coelestem Hierusalem, Do-
 mino praestante, pervenias. *Paschal. 2. Ep. 7. Bin. To. 7. p. 517.*

* De Haeresi quoque non dubiis & levibus, sed evidentibus ar-
 gumentis suspectus habetur, plura siquidem eum commisisse
 perjuriam satis patet.--- privilegium insuper quod *B. Petro*, &
 Successoribus ejus in ipso tradidit Dominus, viz. quodcunque li-
 gaveris, in quo utique autoritas & potestas Ecclesiae Rom. con-
 sistit, pro viribus diminuere, vel ipsi Ecclesiae auferre sategit.---
 merito insuper contra eum de haeretica pravitae suspicio est ex-
 orta, cum---claves Ecclesiae contempserit,---& constanter asse-
 ruit se G. Papae sententias excommunicationis non vereri,---cum
 Religiosas & alias Ecclesiasticas jugi attriverit afflictione & perse-
 cutione personas,---nonne igitur haec non levia, sed efficacia
 sunt argumenta de suspicione haeresis contra eum, cum Haereti-
 ' diminished

‘ diminished the Privilege granted to the Successors
 ‘ of St. Peter, in these Words, *Whatsoever thou*
 ‘ *shalt bind on Earth*, &c. and contemned the Keys
 ‘ of the Church, which, saith he, must be *Heresy*,
 ‘ seeing the *Civil Law* declares him a *Heretick*,
 ‘ and worthy to be punished as such, who in a
 ‘ light Matter doth deviate from *Catholick Re-*
 ‘ *ligion*.’ Then follows his Deposition of the
Emperor in these Words: ‘ We therefore, after
 ‘ mature Deliberation had with our *Cardinals*, and
 ‘ with the *Sacred Council*, upon the Premisses, de-
 ‘ clare the forementioned *Emperor*----deprived by
 ‘ God of all Honour and Dignity, and, by our
 ‘ Sentence, we deprive him of them, perpetually
 ‘ absolving all his Subjects from their *Oaths* of Fi-
 ‘ delity to him, and by our *Apostolical Authority*
 ‘ forbidding them to acknowledge or obey him
 ‘ hereafter as *Emperor* or *King*; and decreeing,
 ‘ that all who under that Relation yield him Coun-
 ‘ sel, Aid or Favour, shall be *ipso facto* excommu-
 ‘ nicate.

A. D. 1254. Innocent the Fourth pronounceth Spond.
 an *Anathema*, on *Maunday Thursday*, against *Ece-To. 1.*
linus, Governor of *Marchia Tarvisina*, as being p. 188.
 a manifest *Heretick*, and frequently excommuni-

corum vocabulo illos Jus civile contineri asserat, & latis adversus
 eos sententiis debere succumbere, qui vel levi argumento à judi-
 cio Catholicæ Religionis & tramite detecti sunt deviare---Nos
 itaque, super præmissis, cum fratribus nostris, & Sacro Concilio
 deliberatione præhabita diligenti, --- memoratum Principem---
 omni honore & dignitate à Domino privatum denunciamus, ac
 nihilominus sententiando privamus, omnes qui ei juramento fi-
 delitatis tenentur adstricti à juramento hujusmodi perpetuo ab-
 solventes, auctoritate Apostolica firmiter inhibendo ne quisquam
 de cætero sibi, tanquam Imperatori vel Regi pareat, & decer-
 nendo quoslibet qui ei deinceps velut Imperatori Consilium
 vel Auxilium præstiterint, seu favorem, ipso facto excommu-
 nicationis vinculo subjacere. *Innocent. 4. in Concil. Lugd. Con-*
cil. To. XI. p. 645.

P. 197. cated upon that Account. And *A. D.* 1256. he gathers an Army of *Crusado's* against him.

In the Fourteenth Century, *A. D.* 1322. *John* the Twenty Second excommunicates *Matthew*, Viscount of *Milan*, his Sons and Abettors, as being *Hereticks* and *Schismaticks*, passeth upon them the Sentence of Deprivation of all their Goods, Deposition from all Office and Dignity Ecclesiastical and Secular, of Inability to any other, and exposes their Persons to be seized upon, and treats with *Frederick* of *Austria*, King of the *Romans*, about sending an Army into *Lombardy*, to suppress them.

P. 409. § 2. *A. D.* 1324. *John* the Twenty Second commands *Lewis* of *Bavaria* to cease from all Administration of the *Empire*, and never to assume it again, without the Approbation of the *Apostolick See*; and this was done, as for other Reasons, so in particular this, that *Lewis* had shewed Favour and Patronage to Count *Galeatius*, and his Brethren, who had been lawfully condemned for *Heresy*, and to some others who had rebelled against the *Church*.

P. 412. § 3. *An. Do.* 1124. this *Pope* pronounces the *Emperor* contumacious and deprived of all Right to the *Empire*, reserving to himself the inflicting of other Penalties upon him, if ever he endeavour to meddle with the Administration of the *Empire*, or should presume to favour the forementioned *Hereticks* and *Rebels*, forbidding all the Subjects of the *Empire*, under most grievous Penalties, in any manner to obey him, to call him *Emperor*, or yield him any Aid or Favour. *An. Dom.* 1335. *Benedict.* the Twelfth renews this Sentence of *John*. And the next Year the *Emperor* makes a large Promise of doing almost any thing the *Pope* would ask, and giving Power to his own Subjects to rise up against him, if he did not perform it; and yet this was not thought sufficient to expiate the Guilt of favouring

P. 453. § 1.

P. 456.

§ 23.

vouring *Hereticks* and *Rebels* to the *Church* of *Rome*, and doing that which was at *Rome* esteemed *Here-* p. 457. ib.
fy. He therefore proceeds to confess that he had done ill in favouring the Viscount of *Milan* and others condemned by the *Church* as *Hereticks* and *Schismatics*: That in his *Appeal* made against *John* the 22d, he had said many *heretical* things; that he would make a full Confession of these things, and would supplicate for Absolution; and take an Oath, *stare mandatis Ecclesiae*, to obey the Commands of the *Church*, and to extirpate *Hereticks*; and yet all this would not prevail for the obtaining of his Pardon. *A. D.* 1343. *Clement* the p. 474. § 2.
 Sixth renews the same Sentence against the *Em-*
peror; and the Conditions which he required, in An. Dom.
 order to his Absolution, were, that he should 1334.
 confess his *Heresies* and *Errors*, of which he was p. 478. § 1.
 accused, and that he should resign the *Empire*, not re-assuming it, but by the favour of the *Pope*; that he should deliver up his Sons, Goods, and his whole Concerns, into the Hands and Will of the *Pope*, all which the *Emperor* promised to do; and yet this would not satisfy. *A. D.* 1345, p. 481.
 and 46. the *Emperor* is again deposed, and his p. 493.
 Subjects are absolved from their *Oaths of Allegiance* to him. So dreadful was it even for *Emperors* to be esteemed *Hereticks*, or *Favourers* of *Hereticks*, or *Friends* to them who have been *Rebels* to the *Church* of *Rome*.

A. D. 1363. *Urban* the Fifth pronounceth *Bar-* p. 557. § 1.
nabas, Duke of *Milan*, a *Heretick* and *Schismatick*, anathematized by the *Church*, and for that Cause deprives him and his Posterity of all Honour, Dignity, Privileges and Jurisdiction, absolves his Subjects from their *Oaths of Fealty* to him, and also frees his *Wife* from the Bond of Matrimony; and he subjecteth all that did aid or favour him to the same Punishments; and granteth plenary
 Indulgence

Indulgence to all *Crusado's* that would fight against him.

In the Fifteenth Century, *A. D.* 1453. * *Nicholas* the Fifth, in his Epistle to all the Faithful, by his *Apostolical Authority*, excites *Charles VIII.* King of *France*, to extirpate the Perverseness of *Amadeus*, Duke of *Savoy*, the *Antipope*, with all his *Favourers* and *Adherers*, as being guilty of *Schism* and *Heresy*, and being therefore excommunicated and anathematized, and he moreover gives him all the Dominions and Goods belonging both to the Duke and all his *Favourers*, promising full Pardon of all his Sins, and an Augmentation of the Rewards of eternal Life, to them who would go in Person with the King of *France* to fight against them: and this he did after mature Deliberation had with his good Brethren the *Cardinals*.

Spond.

T. 2.

p. 88. § 8.

p. 87. § 5.

6, 7.

A. D. 1462. *Sigismundus Maletusta*, for the Crime of *Heresy*, is by Pope *Pius* the Second deprived of his Dominions and all his Goods. In the same Year, *George*, King of *Bohemia*, sends to Pope *Pius* the Second, desiring him to confirm the Indulgence granted to the *Bobemians* by the general Council of *Basil*, and confirmed by *Eugenius* the Fourth, concerning the Receiving the Communion in both Kinds. The Pope answers by minding

* Consideratione præmissorum, diligenti cum fratribus nostris deliberatione præhabita, ad ipsorum *Amidei* Fautorum proterviam extirpandam.—*Carolus* Francorum Regem auctoritate Apostolica, præsentium tenore vocamus, eique Ducatum Sabaudix omnemque ipsius *Amidei*, notorii Schismatici, Hæretici excommunicati & anathematizati terram, ac ejus fautorum, adhærentium, complicum & sequacium bona, diversimode hætenus confiscata, donamus.—Et ut tam salubre negotium in manu forti & robusta procedat,—nos omnibus, qui cum Rege præfato, contra *Amideum* & sequaces eosdem, in propriis personis, propriisque expensis processerint plenam suorum peccatorum veniam indulgemus, & in retributione justorum, vitæ æternæ pollicemur augmentum. *Ep.* 2. *Concil. To.* 13. p. 1322, 1323.

him

him of his *Coronation Oath*, in which he had promised Obedience to the *See of Rome*, and commands him therefore to comply with that *Church*. The *King* replies, that indeed he had sworn, *haereticam pravitatem à Regno abdicere*, to expel *Heresy* out of his Kingdom, but that he never esteemed the Receiving the Sacrament in both Kinds to be *Heresy*, and that he would live and die in the Practice of it. Then the *King* enquires of the *Hussites*, whether, if War should be waged against him upon this Account, they would stand by him? who answer like good Subjects, that they would do it with their Lives and Fortunes. But putting the same Question to the *Catholicks*, they answer fraudulently, that when the Honour of God and Justice was not violated, they would not be wanting to assist the *King* and *Kingdom*. For this the *Pope* prepares to execute his Censures on the *King*, nulls the Contract of Agreement made betwixt him and his rebellious Subjects of *Breslaw*, in which they promised Submission to him, he absolves them from their Promise, commands the *King*, and all other Persons, under the Penalty of Excommunication, not to hurt them, or to compel them to obey him, and exhorts all *Princes* to be assistant to these *Rebels* and *Truce-breakers*, against all Invaders. *A. D.* 1466. *Hynco*, one of the *King's* Nobles, being besieged by the *King* in a Town called *Zaraste*, escapes privily in the Night, and flies to *Paul* the Second, who presently, in favour of this Criminal, pronounces an *Anathema* against all who did not presently quit the Siege, and the Town notwithstanding being taken, he sends *Rudolph*, his Legate, to try the *Princes* of *Germany*, whether they would not hinder the *Pope's* Proceedings against *King George*; their Answer is, *That the Pope knew what was his Duty, and they would do what became Catholicks; but* that

that they could not break their League with him till the Church had declared him a Heretick. In the mean time all the Catholick Nobility of Bohemia rebel against him, and desire the Pope to absolve them from their Oath of Obedience to him, which, when they had joined with the Inhabitants of Breslaw and other Rebels, is granted to them, the King himself is cited to Rome, Rudolph is commanded to procure Aid against him, and to gather an Army of Crusado's for that Purpose, which presently he doth, and forceth the King from a Town that he besieged. And, because the King appeared not at Rome, and desisted not from persecuting the Catholicks, by the Advice of the Cardinals and all the Doctors of Divinity and of the Canon Law, he is pronounced a perjured, sacrilegious Heretick; then the Pope deprives him, as being a Heretick, of all Honour and Dignity, absolves his Subjects from their Obedience to him, and declares him and his Posterity incapable of any Dignity; and lastly, offers his Kingdom to Casimirus King of Poland.

p. 108.
§ 2, 3.

p. 112.
§ 6.

1. In the Sixteenth Century, * Paul the Third, An. Do. 1538. with the consent of his Cardinals,

* Quasdam Leges seu generales Constitutiones edere non erubuit, per quas Subditos suos ad quosdam Hæreticos & Schismaticos Articulos tenendos, inter quos & hoc erat, quod R. Pontifex, caput Ecclesiæ & Christi Vicarius non erat, & Quod ipse in Anglica Ecclesia supremum Caput existeret, sub gravibus etiam mortis pœnis cogebat. § 1. habita itaque cum venerabilibus Fratribus nostris S.R.E. Cardinalibus deliberatione matura, & de illorum concilio & assensu per viscera misericordiæ Dei hortamur & requirimus in Domino quatenus Henricus R. à prædictis erroribus prorsus abstineat, & constitutiones seu leges prædictas revocet, casset & annulet, § 4. hoc præcepit sub majoris excommunicationis latæ sententiæ pœna, § 6. nec non rebellionis, & quod Henricum R. etiam perditionis Regni & Dominiorum prædictorum, § 7. ipsiusque Henrici R. ac Regni, omniumque aliorum Dominiorum, Civitatum, Terrarum, Castrorum, &c. Magistratus, Judices, Castellanos, Custodes & Officiales quosunque, necnon Communitates, Universitates, Collegia, Feudatorios, vassallos, Reges, &c. declares,

filios
Regi
cujus
cant
salutic
solvin
† Na
fos, S
Divin
& Na
comp

declares, that *Henry* the Eighth of *England*, under severe Penalties required his Subjects to hold some Schismatical and Heretical Articles, amongst which was one, That he himself, and not the *Pope* was the supreme head of the *Church* of *England*: These Errors he requires him to desist from, and to abrogate the Laws made against the *Pope's* Supremacy; declaring that if he did not yield to this Injunction, he should incur the Sentence of the greater Excommunication, under which Sentence if he continued Ninety days, and did not within that time appear at *Rome*, he, in the space of three days after, should incur the Penalty of Deprivation of his Kingdoms and Dominions passed upon him.' Moreover, he absolves his Subjects from their Oaths of Fealty and Subjection to him, commanding them, under the Penalty of Excommunication, not to obey him or to acknowledge him as their *Superiour*.'

A. D. 1570. Pius the Fifth declares '*Queen Elizabeth* a Heretick, whereupon he deprives her of ^{*Vide supra*} §. 17. her pretended N. B. Royal Right and all Dominion, Dignity and Privilege whatsoever, and declares all her Subjects, and all others who had sworn to her, absolved from their Oaths, and from any obligation of Allegiance or Obedience to her. *An. Dom. 1585. Sixtus* the Fifth pronounceth † '*Henry* of *Navar* and the *Prince* of

fillos, Subditos, Incolas & Inhabitatores & etiam Forenses, dicto Regi de facto Obedientes, tam seculares quam si qui rationes aliquis temporalitatis ipsum *Henricum R.* in superiorem recognoscant etiam Ecclesiasticos. N. B. à juramento fidelitatis, jure vasalítico, & omni erga Regem & alios prædictos subjectione absolvimus & penitus liberamus, § 10. Bull. *R. To.* 1. p. 516. &c.

† *Navarrum* & *Condeum* tanquam Sectarios & in Errore relapsos, Sectariorum Fautores, ac Defensores publicos ac manifestos, Divinæque Majestatis Reos & Fidei Catholicæ Hostes proscribit, & *Navarrum* quidem omni Jure quod in *Navarræ* Regno sibi competere contendit, & ea parte quam nunc occupat excidisse:

' *Conde*

‘ *Conde* to be *Sectaries* relapsed into Error, manifest
 ‘ *Favourers* and publick *Defenders* of *Sectaries*, that
 ‘ is *Hereticks*, *Rebels* to the *Divine Majesty*, and
 ‘ *Enemies* to the *Catholick Faith*; having done this,
 ‘ he deprives them and their Posterity for ever
 ‘ of their Dominions and Kingdoms, absolving
 ‘ their Subjects from their Allegiance to them, in
 ‘ these words, ‘ By the Authority of these Pre-
 ‘ sents we do absolve and set free all persons as
 ‘ well jointly as severally from any such Oath,
 ‘ and from all Duty whatsoever in regard of Do-
 ‘ minion, Fealty and Obedience, and do charge
 ‘ and forbid all and every of them, that they do
 ‘ not dare to obey them, or any of their Admo-
 ‘ nitions Laws and Commands.’ After the Death
 of *Henry* the Third, by the barbarous Murther
 of Fryer *Clement*, the *Parisians* send to the *Sorbon*
Doctors to know if it were Lawful to submit to *Hen-*
ry of *Borbon*, to whom the Crown of right belong’d,
 their Answer is at large recorded in *Thuanus*, and
 briefly is to this effect, * ‘ that *Catholicks*, by the

Condeum autem & utriusque Successores omni Principatus, & Dignitatis jure in præsens & in posterum pariter excidisse, indignosque esse ipsos, & eorum Successores qui in illum Principatum, ac speciatim in Regnum Franciæ succedant, hac Sententia pronunciat, Subditosque obsequii Juramento solvit. *Thuan.* l. 82. p. 45.

* Ad hoc capita, post Spiritus Sancti invocationem, *N. B.* responsum, Jure Divino *N. B.* prohiberi Catholicos hominem Sectarium, aut Sectarii mali Fautorem, & Ecclesiæ manifestum hostem multoque magis relapsum, & à Sancta Sede nominatim ab Unione Catholica exclusum, ad Regnum admittere, — & quemadmodum qui *Henrico* ad Regnum aspiranti favent, aut Suppetias ferunt, Religionis Desertoires sunt, & in peccato cum vitæ æternæ dispendio degunt; ita qui se illi pro Religionis defensione opponunt, plurimum apud Deum & homines mereri, & ut illos in hostes generis humani Regno stabiliendo pertinaces, æterna pœna manet, sic hos, si ad sanguinis usque effusionem resistant, æternum in Cœlo præmium, & ut Fidei Propugnatores, immarcescibilem Martyrii Coronam proculdubio consecutores, *Thuanus* lib. 98. p. 70, 71.

Divine,

' *Divine Law*, were forbidden to admit to the
 ' Kingdom a *Sectary*, or a *Favourer* of a *Sectary*,
 ' and a manifest *Enemy* of the *Church*, much more
 ' one that had relapsed, and was by name exclud-
 ' ed from the *Catholick Union* by the *Apostolick*
 ' *See*; that all who favour or assist him were guil-
 ' ty of a damnable Sin, and would infallibly be
 ' damned, and all that did resist him unto Blood,
 ' would die *Martyrs*, and enjoy an everlasting Re-
 ' ward in Heaven. But it is needless to multiply
 Examples of this Nature, in a Case defined by two
 general *Councils*: First, that of *Lateran*, under *Alexander*
 the Third, *A. D.* 1179. which *cap.* 27.
 speaking of certain *Hereticks* there mentioned, *
 ' Let all Men, say they, know, who any way
 ' stand bound to them, that as long as these *He-*
 ' *reticks* persist in their Iniquity, they are relaxed
 ' from all Fealty, Homage and Obedience due
 ' to them.' The Second is, the Fourth *Council* of
Lateran, under *Innocent* the Third, which, as you
 have already heard, declares, That ' if the *Tem-* *Concil.*
 ' *poral Lord* neglect to purge his Territories from *To. XI.*
 ' *Heretical Pravity*, notice must be given of his *p. 148,*
 ' Remissness to the *Pope*, that he from hence- *149.*
 ' forth may pronounce his *Subjects* discharged from
 ' their Obedience, and give his Dominions to *Ca-*
 ' *tholicks*.

Moreover, in Compliance with these *Popish*
Principles, we find that *Popish Princes*, who had
 made these Promises, did notwithstanding profe-
 cute their *Protestant Subjects* with the greatest Ri-
 gour, and act clear contrary to the Engagements
 made unto them. Our own Dominions will afford
 a sad and lamentable Instance of this thing. For,

* Relaxatos autem se noverint à debito fidelitatis & dominiî,
 & totius obsequiî, donec in tanta iniquitate permanferint, qui-
 cunque illis aliquo pacto tenentur annexi. *Bin. To. 7. p. 662.*

' when

Dr. Burnet's Hist. of the Reformation, B. 2. Part 2. p. 237.

See The Policy of the Clergy of France, p. 22, 32, 36, 40, 46.

p. 135.

when the Men of *Norfolk*, and a great Body out of *Suffolk*, desired to know of *Queen Mary*, whether she would alter the Religion set up in *King Edward's* Days, she gave them full Assurance, that she would never make any Innovation or Change, but be contented with the private Exercise of her own Religion. And, on the 12th of *April*, she made an open Declaration in Council, That, although her Conscience was stay'd in the Matters of Religion, yet she was resolved not to compel or strain others, otherwise than *God* should put into their Hearts a Persuasion of that Truth she was in; but, notwithstanding these Engagements, as soon as she was well established in the Throne, she presently began, and did continually promote the Burning of her Protestant Subjects only for their Religion sake. Another Instance of like nature we have in *France*; where, notwithstanding all the *Edicts* made in favour of the Protestants, their Temples are demolished, they are rendred incapable of all Charges of Magistrature, they are abandoned to Injustice and Violence; their Children are often taken up in the Streets, shut up in Cloysters, and they never hear more of them; they are deprived of all Means of gaining their Livelihood, and are not allowed to be of Arts and Trades, though the Declarations and *Edicts* expressly bear they shall be received into them. *England*, saith the *Hugonot*, there, more favour hath been given to the Catholics than was promised them; but in *France*, where we live under favourable *Edicts*, they have promised us what they have not performed; it is only to us that they make Profession of not performing what they have promised; the *Edicts* of Pacification are in all the Forms that perpetual Laws ought to be, they are verified by the Parliaments, they are confirmed

confirmed by a hundred *Declarations*, and by a thousand *Royal Words*, they have been laid as irrevocable *Laws*, and as *Foundations* of the *Peace* of the *State*, we rely upon the good Faith of so many Promises, and on a sudden we see snatch'd from us what we look'd upon as our greatest Security; thus there is neither *Title*, nor *Prescription*, nor *Edicts*, nor *Arrests*, nor *Declarations*, that can put us in Safety.

§ XX. But lastly, That which chiefly doth confirm this Truth is, the Proceedings of the general Council of *Constance* against *John Hus*, who being summoned by *Sigismund* the Emperor to appear before that Council, to take away all Fears and Jealousies of what he might expect to suffer from them, the Emperor grants him *Safe-Conduct*, *Ut Constantiam veniens à converso redire ad Bohemiam possit*; 'to return from *Constance* to *Bohemia*, and promisseth he would receive him into the Safe-guard and Protection of the *Empire*; and commanding all Princes of his *Dominions* to permit him freely to come thither, stay and continue there, and to return from thence. But notwithstanding this, he had not been above three Weeks in *Constance*, but, contrary to his *Safe-Conduct*, he is thrown into Prison; which being done in the Emperor's Absence, he returns to the Council, and argues the Case with them, upon which they pass the Decree contained in the Nineteenth Session of that Council, in these Words; * This present Sacred Synod declares, that by whatso-

Liber Epist.
Joh. Huff.
A. 1537.
f. 1.

Ibid. f. 2.

* Præfens Sancta Synodus ex quovis salvo conductu per Imperatorem, Reges, & alios seculi Principes, Hæreticis, vel de hæresi defamatis, putantes eosdem sic à suis erroribus revocare, quocunque vinculo se astrinxerint, concessio, nullum fidei Catholicæ vel jurisdictione Ecclesiasticæ præjudicium generari, vel impedimentum præstari posse seu debere declarat, quo minus dicto salvo conductu non obstante, liceat judici competenti Ec-

ever *Safe-Conduct*, granted by the *Emperor, Kings,*
 or other secular *Princes* to *Hereticks*, or such as are
 defamed for *Heresy*, and by whatsoever Bond
 they have obliged themselves to the Observance
 of it, no Prejudice can arise, no Impediment
 can or ought to be put to the *Catholick Faith*,
 or other *Ecclesiastical Jurisdiction*, but that
 (notwithstanding the *Safe-Conduct*) it may be
 lawful for any Competent and Ecclesiastical
 Judge to enquire into the Errors of such Per-
 sons, and duly otherways proceed against
 them, and punish them so far as Justice shall
 require, if they shall pertinaciously refuse to
 revoke their Errors; yea, though they come to
 the Place of Judgment, relying upon such *Safe-*
Conduct, and would not otherwise come thither;
 nor doth he, who so promiseth, remain obliged
 in any thing, *having done what lies in him.* And
 having passed this Decree, for the Satisfaction of
 the *Emperor*, they pronounce *John Hus* guilty
 of *Heresy*, and thereupon seven of the *Bishops* so-
 lemnly degrade, and commit his Soul to the Devil,
 his Body to the *Emperor*, who commands *Ludovicus*,
Duke of Bavaria, to deliver him up to the *Execu-*
tioners, who thereupon commit his Body to the
 Flames. The Question then is, whether the *Em-*
peror did not break his Faith with *John Hus* in so
 doing, and whether the *Council* did not decree,
 that neither he nor any else were bound to keep
 it in this Case with *Hereticks*? And although this
 case be so plain and clear to all Persons who have
 any Sense of Justice and Honesty, that we dare

nam com-
mittimus
animam
tuam Dia-
bolo. Ibid.

Ecclesiastico de hujusmodi personarum erroribus inquirere & alias
 contra eos debito procedere, eosdemque punire quantum iustitia
 suadebit, si suos errores revocare pertinaciter recusaverint, eti-
 amsi de salvo conductu confisi ad locum venerint iudicii, alias
 non venturi; nec sic promittentem, cum alias fecerit quod in
 ipso est, ex hoc in aliquo remansisse obligatum, *Bin. Concil. To. 7.*
p. 1075.

to appeal to the most indifferent Persons in the World, Whether it be not a most notorious Violation of Faith for *Sigismund* himself, after a solemn Promise made to *Hus* of *safe Return*, to be the * Instrument of his Execution? And whether they, declaring that the *Emperor* had done what in him lay, as to the Observation of this Promise, do not expressly declare, that † *Emperors* cannot hinder the Execution of an *Heretick*, when *Holy Church* doth interpose for his Destruction, what promises soever they made of Safety to him? Yet that which most of all confirms this Truth, is the Consideration of the Answers made by the Doctors of the *Roman Church* to *Protestants* accusing this *Council*, as well they might, of favouring the Breach of Promise made by *Catholicks*, to such as they are pleased to call *Hereticks*; now the chief Plea which *Becanus*, and after him the Author of *Labarintus Cantuariensis*, *Opuse. To. 2. p. 149.* makes to free the *Councils* from this Imputation, *qu. 5. §. 2.* is, viz. that ‘by that Decree the *Council* declares, that no *Secular Power*, how *Sovereign* so- *3. Lab. Cant. p.* ever, can hinder the Proceedings of the *Ecclē-* *154.* *siastical Tribunal* in Causes of *Heresy*; and consequently, if the *Emperor*, or any other *Secular Prince*, grants a *Safe-Conduct*, or makes Promise

* Aberat tum forte *Sigismundus*, & certior factus graviter tulit, eoque venit, sed cum Pontificii dicerent, *Non esse Fidem servandam Hereticis*, non modo remisit offensionem, licet Bohemi frequenter intercederent, & fidem servari peterent, sed etiam primus omnium acerbè in eum pronunciavit. *Sleidan. Commentar. l. 3. p. 59.*

† Incinerationem *Joh. Hus*, Imperator non æquo animo tulit, propter saluum conductum ei datum. Respondit ei Sacro-Sancta Synodus eum argui non posse de fide mentita, quia Concilium ipsum non dederat ei saluum conductum, & Concilium majus est Imperatore, & ideo non potuisse contra voluntatem Concilii id concedere, præcipue in factis fidei. *Naucerus, Gen. 48 p. 272.*

' of any thing to the Prejudice of that *Jurisdic-*
 ' *tion*, it shall not hold. The Reason is, Be-
 ' cause it is a Promise made of a thing not per-
 ' taining to the *Jurisdiction* of that *Prince*, nor
 ' wholly in his Power to see performed : Which,
 if I understand any thing, is expressly to say, that
 though in Cases properly pertaining to the *Prince's*
Jurisdiction, he must perform his Promise, yet not in
 this of *Heresy*; because it doth belong to the *Eccle-*
siaſtical Tribunal: When therefore the *Council* of
Constance decrees, that no *Secular Power* is obliged
 by any *Safe-Conduct* to any thing that may hinder
 the *Ecclesiaſtical Tribunal's* Proceeding in Cases of
Heresy, what doth it else but declare in exprefs
 Terms, that *Faith* is not to be kept with *Hereticks*,
 that is, in any thing relating to their *Heresy*; for this
 it seems the *Magistrates* have nothing to do with;
 and therefore let *Kings* and *Princes* make never so
 solemn Promises and Engagements to Men sus-
 pected of *Heresy*, to their Peril be it who rely upon
 them, for they have nothing to do to promise in
 such Matters, and though their *Faith* be given
 never so publickly and solemnly, they are not
 bound to keep it: For if they should, it would
 be to the apparent Mischief and Prejudice of the
Church. This necessarily follows from their own
 Words, and the *Distinction* here used by them:
 And also from the Words of the *Council*, for if
no Safe-Conduct of *Emperors* or *Kings* can pre-
judice the Catholick Faith, or binder the Ecclesiaſtical
Jurisdiction from proceeding duly against *Hereticks*, and
punishing them as far as Justice doth require, it can-
 not hinder the Execution of them by the *Magi-*
strate when they are given up to the *Secular Pow-*
er for that End; for, I suppose, the *Council* could
 not but esteem the freeing *Hereticks*, condemned
 by the *Church*, from civil Punishments, a *Prejudice*

to the *Catholick Faith*, and an *hindrance of the Ecclesiastical Jurisdiction*, by letting them escape, who by that *Jurisdiction* were condemned to suffer what was due to *Hereticks*. So that the plain Result of all is this, That no *Prince* ought to promise Safety to the *Heretick*; but if he does so, though it be more than he can do, yet the *Church* can make that good use of it, that by that means she may get the *Hereticks* under her Power, and when she hath them, it is but then declaring this Promise to be null, and she may do with them as she pleases.

§. XXI. Now to give you the Description of a *Popish Prince* placed in the *Throne*, invested with the Power of the Sword, and settled in a *Kingdom*, where *Protestants*, that is, *damned Hereticks*, abound, from the *Decrees* and the *Determinations* of their approved general *Councils*, and almost in their own Expressions, it is this, *viz.*

A *Popish Prince* is one, who, as he doth desire to be esteemed a *Christian*, or a true Son of the *Church*, stands bound to wait on the *Inquisitors* or *Catchpoles* of the *Church*, affording them his Aid and Favour, in finding out and apprehending, and in committing to the Goal all *Hereticks*, with all that favour and abett them, that is, he is to do the Office of a *Bailiff*, *Constable*, and a *Goal-Keeper* to bloody *Bonner*, or any other Person deputed by his *Holiness* for the Destruction of his *Subjects*. Moreover, as he would avoid the heavy *Censures* of the *Church*, he must oblige himself by *Oath*, not only to rob and spoil his *Protestant Subjects* of their Goods, and put them into Chains and Fetters, but also to exterminate them out of his *Kingdoms* and *Dominions*, and when they are by the *Inquisitors* or *Bishops* delivered up into his Hands, he must presently commit them to the Flames, that is, he must perform the Office of the *Hangman*

or Executioner for Holy Church. And, if he be remiss or backward in butchering his Subjects for their Conscience-sake, he must then be deprived of all his Dominions, and they must be disposed of to Persons more inclined to act those bloody Tragedies upon them. And, lastly, if he hath bound himself by Promises or Oaths to deal more mildly with them, and to permit them to enjoy their own Religion, or hath engaged not to execute these Sanguinary Laws upon them, he must repent of this horrid Wickedness, be false unto the Oath of God, and, in despite of all his Promises, he must effectually proceed to the Extermination and Destruction of them.

§. XXII. If he be backward or remiss in executing of these Sanguinary Laws, he hath his ghostly Fathers, the Archbishops and Bishops, who cannot, without Perjury, forget to spur him on to the Effusion of the Blood of Christians; for, by the Oath which these Embassadors of Peace do take at their Admissions to their Sacred Functions, they oblige themselves * 'to prosecute and impugn to the utmost of their Power, all Hereticks, Schismatics, and Rebels to the Pope.' If they be remiss in this matter, they, by the Constitution of the Fourth general Council of Lateran, must lose their high and rich Preferments, which, out of too much Kindness to a damned Heretick, you may be sure they will not do. 'Tis from their Importunity that all these Sanguinary Laws of Princes had their Rise; 'tis they who have insatiably thirsted after Christian Blood, and, like Death, never said they had enough; 'tis they who established all the forementioned Laws, and

Can. 3.
vide supra
§ 14.

* Hereticos Schismaticos aut Rebelles, eidem Domino nostro, vel Successoribus prædictis, pro posse persequar & impug-nabo. Pontif. Rom. Edit. Antwerp A. D. 1626. p. 59, & 86.

who

who in *France* and *Germany* were still taking Coun-
 sel together how to destroy their *Christian Bre-*
thren, more righteous than themselves: "Tis they
 ' who do encourage and admonish one another
 ' carefully to execute, observe, and cause invi-
 ' olably to be observed, by all their Subjects, all
 ' Laws made against Persons infamed or suspe-
 ' cted of any *Heresy*, and against all *Receivers*, *Fa-*
 ' *vourers* and *Defenders* of them, and against *Se-*
 ' *cular Powers*, who being lawfully required, neg-
 ' lect to extirpate *Heretical Pravity* out of their
 ' *Dominions*.' And with what Faithfulness and
 Zeal they have performed, in this Point, their
 Oaths, a few late Instances will shew. The ge-
 neral Council of *Siena*, held *A. D.* 1423. exhorts,
 invites, admonisheth all *Christian Princes*, by the
 Bowels of the Mercies of God, and as they desire
 to avoid the Divine Vengeance, and the Penalty
 of the Law, to be watchful and intent to extir-
 pate with all speed the *Heresy* of the *Wicklefists*
 condemned by the *Church*. A Council met at *
Paris, under the *Archbishop* of *Sens*, *A. D.* 1528.
 and therefore called *Concilium Senonense*, renews all
 the Decrees of the Fourth general Council of *La-*
teran, ' excommunicating all *Hereticks*, and de-
 ' claring all that believe not as the *Church* of *Rome*
 ' believes, to be *Hereticks*, condemning them to
 ' perpetual Imprisonment, Confiscation of their
 ' Goods, and decreeing that they shall be given
 ' up to the Hands of the *Secular Magistrate*, and
 ' commanding all *Bishops* to be diligent in Execu-
 ' tion of these Laws, and all *Governors* and *Consuls*
 ' of *Cities* to take an *Oath* to be aiding in this
 ' Work, according to their Power.' This done,
 they thus apply themselves unto his *Christian Ma-*
jestty, ' We beseech the most *Christian King*, by
 ' the Bowels of the Mercy of God, for the sin-
 ' gular Zeal, and wonderful Affection, and in-
 ' credible

Concil. Sa-
lisberg.

Can. 32.

To. 13. p.

325.

Concil. To.

12. p. 367.

**Concil.*

To. 14.

p. 441.

442, 443.

Francis
the First.

p. 443.

Ibid. p. 462

' credible Devotion which he beareth to the
 ' *Christian Religion*, he would forthwith expel all
 ' *Hereticks* out of his Dominions and Territories,
 ' and would exterminate them ; And necessary,
 ' say they, is it that all *Orthodox Princes* should
 ' bend their whole Endeavours, and exercise
 ' their Power for the destroying and chasing
 ' away *Hereticks*, if they are willing to consult
 ' the good of *Christianity*, or fear the Ruin of
 ' the *Christian Faith*; this is sufficient to work
 ' upon their Piety, if they incline that Way.' To
 move them to this Butchery, with hopes of tem-
 poral and of eternal Advantages, they let them
 know, that ' though *God* is able to destroy the
 ' *Hereticks* himself, yet such is his Goodness, that
 ' he would have Men to be Co-workers with him
 ' in this thing, and that he amply will reward all
 ' those that are so, and that it would be tedi-
 ' ous to rehearse the Glory and Felicity of them
 ' who, adhering stedfastly to the *Catholick Faith*,
 ' did slaughter *Hereticks*, as being the capital Ene-
 ' mies of the *Crown*.' And to deter them, if
 they be superstitious, with the dread of Punish-
 ments, they add, that, ' on the contrary, such
 ' *Princes* as have been favourable to *Hereticks*, and
 ' did not withstand their *Errors*, found the Ven-
 ' geance of *God* against them, and, being desti-
 ' tute of his Favour, fell into grievous Calami-
 ' ties, and miserably ended their Lives: We
 ' therefore, considering these Things, according
 ' to our Duty, do instantly exhort all *Christian*
 ' *Princes*, and, in the *Lord*, beseech them, that,
 ' as they desire to consult their own Welfare, to
 ' keep the Rights of their Dominions pure, as
 ' they desire to keep the People subject to them
 ' in Peace and in Tranquility, they would, with
 ' powerful Arm, defend the *Catholick Faith*, and
 ' manfully endeavour to subdue its Enemies :
Hoc profecto nostrum desiderium, hæc votorum summa,
hæc

hæc nostri conatus gloria, hoc est quod tota mente expos-
cimus, & assiduis precibus à Domino flagitamus, i. e.
 the Effusion of the Blood of *Hereticks* is what
 we chiefly desire both of God and Men, and to Bin. To. 9.
 accomplish this is our chief Glory. The Council p. 449.
 of Milan. A. D. 1665. puts up the like Petition
 to the Civil Magistrate in these Words, ' We ex-
 ' hort Princes, and the Magistrates of Cities, and
 ' by the Bowels of the Mercies of Christ our Lord,
 ' we pray them, that, preferring heavenly Gain
 ' before earthly, they take care to forbid all Traf-
 ' fick and Commerce with *Hereticks*, in any of
 ' their Towns and Cities, and that they suffer not
 ' their Subjects, upon these Accounts, to repair
 ' to any *Heretical Countries*, especially that they
 ' would be helpful to, and heartily would favour
 ' (that Hell above Ground) the *Sacred Inquisition*,
 ' and, being desired, would interpose their Au-
 ' thority to that end; and what more they could
 ' ask it is not easy to imagine.

But should *Papish Princes* be remiss in Execution
 of this bloody Work, they must expect to be still
 quickned, if not threatned to it by that great
Malleus Hæreticorum call'd his *Holiness*. For this
 hath been the constant Business of that *See*, from
 the Twelfth Century, till of late, to call upon all
Catholick Princes to ruin both the Souls and Bodies
 of those *Subjects* who refused to obey the *Church*
 of *Rome*, or become *Subjects* to his *Holiness*. And
 to chastise those *Princes* who did countenance any
 such *Seets* or *Heresies*, or who refused to destroy
 and murder them. How industriously they have
 promoted, how vehemently they have excited
Princes and other *Governors* to these inhuman Per-
 secutions, will appear from the ensuing Instances
 collected from the *Annals* of their own *Spondanus*.

In the beginning of the Thirteenth Century To. 1. p. 36.
 the Persecution waxed hot against the *Albigenses* 4. p. 43.
 and § 3.

- and *Waldenses*, by reason of the fiery Zeal of *Innocent* the Third against them; who in the Years 1208. and 1210. excited *Philip*, King of *France*, to fight against *Raimund*, the Count of *Toulouse*, and to expel him with his Adherents out of his Dominions, because he was a *Favourer* of *Hereticks*, A. D. 1209. he promiseth to all confess'd and penitent *Crusado's*, that would take up Arms against them, the *Remission of Sins*, and *Absolution from Penance*, whereupon these *Crusado's* besiege, and take the City of *Beziers*, and destroy in it Sixty or Seventy Thousand Souls.
- p. 38. § 7. A. D. 1211. *Innocent* the Third writes to the Count of *Toulouse*, not to receive into his Territories the *Albigensian* and *Waldensian Hereticks*, declaring that, if he should neglect to obey this Command, he would give up his Dominions to be possessed by the *Exterminators of Hereticks*, as afterwards he did.
- p. 102. § 8. A. D. 1229. *Gaufred*, the Legate of the *Apostolick See*, excites the Citizens of *Milan* to animadvert upon the *Hereticks*, by banishing and apprehending them, by destroying of their Houses, by
- p. 104. § 4. Confiscation of their Goods, and other Penalties; and in the Year following severe Laws were made against them there, by instigation of the *Pope*, and many *Hereticks* in *Lombardy* and *Germany* were burnt.
- p. 116. § 3. A. D. 1234. *Gregory* the Ninth excites *Ludovicus*, King of *France*, to restrain the *Albigensian Hereticks*, and in the same Year, by the Authority of the same *Gregory*, Expedition is made against the *Hereticks* dwelling in the Confines of *Saxony*, *Frisia* and *Bremen*, the *Cross* is preach'd up, and the same Privileges which were granted to those who went to the *Holy Land*, were promised to those *Crusado's* who should take up Arms
- p. 120. § 1. against the *Hereticks*, A. D. 1235. He set forth

an *Edict* against them, which caused many of them to be burnt.

A. D. 1238. Pope Gregory the Ninth excites *p. 130.*
Bela, King of Hungary, to fight against *Asanus*, § 510.
 Lord of *Bulgaria*, because he had revolted from the Obedience of the *Roman See*, to the *Schism* and *Heresy* of the *Greeks*, and he solicits the *Crusado's*, gathered for the Assistance of the *Holy Land*, to fight against him, by promising to them the same Privileges upon their Expedition against him.

A. D. 1254. *Innocent* the Fourth sets forth di- *p. 188. § 6.*
 vers *Constitutions* against *Hereticks* and their *Fa-*
vourers, commands the *Cross* to be preach'd up a-
 gainst them, and gives the same Privileges and
 Indulgences to all *Crusado's*, who engage against
 them, which had been granted by a general *Coun-*
cil to those who went to the *Holy Land*.

A. D. 1307. *Clement* the Fifth sent his *Legate* *p. 364.*
 with an Army of *Crusado's* against the *Dulcinists*, § 16.
 who denyed the *Pope* and other *R. Prelates* to be
 true *Pastors*, because they lived not according to
 the Rules of the *Gospel*, by which *Crusado's* the
Dulcinists were forced up into the *Alpes*, where
 they were partly destroyed by the Sword, partly
 by Cold and Hunger; *Dulcinus* himself, with
 some of his Companions, being taken, they were
 brought to *Vercelles*, and there cut in pieces, and
 afterwards their scattered pieces were committed
 to the Flames.

A. D. 1335. *Benedict* the Twelfth excites *John*, *p. 454. § 4.*
 King of *Bohemia*, and the *Bishop* of *Almutz*, a-
 gainst some *Hereticks* who came thither out of
Germany and the neighbouring Places: And *Ed-*
ward the Third of *England*, against the *Hereticks*
 in *Ireland*, who said the *Sacrament* was not to be
 adored.

A. D.

p. 522.
§ 12.

A. D. 1352. Clement the Sixth writes to *Peter de Montibus*, an *Inquisitor*, and to all *Prelates* and *Rectors* to persecute the *Hereticks* in the Province of *Ambrun*, this Persecution makes them fly into *Calabria*. And *A. D. 1353.* *Innocent* the Sixth writes to the King of *Sicily* to assist the *Inquisitors* of *Heresy* against them there.

p. 580.
§ 11.

A. D. 1372. Gregory the Eleventh excites *Charles* the Fourth, Emperor of *Germany*, and other Princes of that Nation, to extirpate the *Hereticks* called *Begardi* and *Bequini*, who again sprang up in *Germany*.

p. 582.
§ 2.

A. D. 1374. He writes to the Archbishop of *Prague*, and to *Charles* the Emperor, to punish one *Mallefius* an *Heretick* and his Followers, and to assist the *Inquisitors* in so doing.

p. 586.
§ 5.

A. D. 1375. The *Hereticks* abounding in the Provinces of *Dauphine*, *Savoy*, and other neighbouring Places; the same Pope writes vehement Letters to the Prelates and Rectors of those Provinces, and to *Charles*, King of *France*, to labour with the *Inquisitors* to root them out of those Provinces.

p. 590.
§ 5.

A. D. 1377. He writes to the King of *England*, and to the Chancellor of *Oxford*, to extirpate the Errors of *Wickliff*.

p. 718.
§ 23.

In the Fifteenth Century, *A. D. 1409.* *Alexander* the Fifth commands the *Wicklefists* to be apprehended and condemned as *Hereticks*, by requesting the Aid of the *Civil Magistrate*.

p. 779.
§ 2.

A. D. 1422. *Branda*, a Cardinal, was sent by *Martin* the Fifth, to prosecute the Holy War against the *Hussites*.

p. 793.
§ 1.

A. D. 1427. *Martin* the Fifth gives to *Henry* of *Winton* ample Power to raise an Army of *Crusado's* against the *Wicklefists* and *Hussites*, promising to them the same Privileges which were granted to them who went to the Holy Land.

In

In the Sixteenth Century, when *Luther* came upon the Stage, *Leo* the Tenth, *A.D.* 1520. set forth a Bull against him, declaring, * that ' since ' the *Church of Rome*, *N. B.* had translated the *Empire* from the *Greeks* to the *Germans*, she had ever ' found the *Germans* to be severe Oppugners of all ' *Herefy*, witness the *Decrees* of the *German Emperors* for the exterminating *Hereticks* out of their ' Dominions, the *Condemnation* of the *Hussites*, ' *Wicklefists*, and *Jerom* of *Prague* by the *Council* of ' *Constance*; witness the *Blood* they have so often ' shed against the *Bohemians*. Wherefore, to shew ' the *Care* he bears for *Christian Religion* and the ' *Orthodox Faith*, † he, with his *Cardinals*, and ' many other *Divines* most skilful in *Theology*, and

* Post translatum ex Græcis, à R. Ecclesia, in eisdem Germanos Imperium, iidem predecessores nostri, & nos ejusdem Ecclesiæ Advocatos & Defensores ex eis semper accepimus, quos quidem Germanos constat Hæresum acerrimos Oppugnatores semper fuisse, cujus rei testes sunt laudabiles illæ Constitutiones Germanorum Imperatorum pro libertate ecclesiæ, proque expellendis exterminandisque ex omni Germania Hæreticis: Testis est in Concilio Const. Hussitarum ac Wicklefistarum, nec non Hieronymi Pragensis damnata ac punita perfidia: Testis est toties contra Bohemos Germanorum sanguis effusus. Bull. Leonis Decimi. Concil. To. 14. p. 391.

† Nos igitur, — habita super prædictis erroribus — diligenti trutinazione, discussione, ac districto examine, maturaque deliberatione cum venerabilibus fratribus S. R. E. Cardinalibus, — pluribusque aliis S. Theologiæ, nec non utriusque Juris Professoribus sive Magistris, & quidem peritissimis, reperimus eosdem Errores non esse Catholicos, — sed contra Ecclesiæ Catholicæ Doctrinam & Traditionem, contra Sanctorum Patrum Determinationes, Conciliorum quoque & Summorum Pontificum expressas Ordinationes seu Canones, quibus non obtemperasse omnium Hæresum & Schismatum fomes & causa semper fuit, de eorundem itaq; Fratrum nostrorum consilio & assensu, — præfatos omnes & singulos Articulos tanquam respectivè hæreticos, aut scandalosos, aut falsos, & veritati Catholicæ obviantes damnamus, reprobamus, &c. ac pro damnatis, reprobatis ac rejectis, ab omnibus utriusque sexûs fidelibus haberi debere, harum serie decernimus ac declaramus, *Ibid.* p. 394, 395.

' the

' the most *Eminent Professors* of both *Laws*, after
 ' mature *Deliberation*, diligent *Examination* and
 ' *Discussion* of some *Articles* cited in this *Bull*, of
 ' which this one, *viz. That it is against the Will*
 ' *of the Holy Spirit, that Hereticks should be burnt*,
 ' declares, that all those *Articles* were contrary to
 ' to the *Doctrine* and *Tradition* of the *Catholick*
 ' *Church*, against the *Determinations* of *Holy Fa-*
 ' *thers*, and the expresse *Ordinances* and *Canons* of
 ' *Popes* and *Councils*, which not to be obedient to,
 ' is the *Cause* and *Nourishment* of all *Heresies* and
 ' *Schisms*. He therefore, with the *Counsel* and
 ' *Assent* of the aforesaid *Brethren*, pronounceth
 ' all the aforesaid *Articles* to be respectively *Here-*
 ' *tical*, or *Scandalous*, or *False*, and contrary to
 ' *Catholick Verity*, and, as such, reprobates and
 ' damns them; decreeing, that all *Christians* shall
 ' look upon them as such. And he * inhibits all
 ' *Kings, Emperors, Electors, Princes, Dukes, Mar-*
 ' *queesses, &c.* under the *Penalty* of the greater
 ' *Excommunication*, to be actually incurr'd without
 ' judicial *Proceeding*, to assert, affirm, defend,
 ' preach, or publickly or secretly, tacitly, or ex-
 ' pressly to favour the aforesaid *Errors* or perverse
 ' *Doctrine* of *Luther*; and under the same *Penal-*
 ' *ties* commands them personally to apprehend
 ' him, his *Accomplices*, *Adherents*, *Receivers*

* Inhibentes sub majoris Excommunicationis latæ Sententiæ
 pœnis, — Regibus, Imperatoribus, Principibus, Ducibus, &c.
 ne præfatos Errores, aut eorum aliquos asserere, affirmare, de-
 fendere, prædicare, aut illis publice vel occulte, tacite vel expre-
 se favere præsumant. *Ibid.* p. 395, 396,

Regibus, Imperatoribus, Electoribus, &c. mandamus, quate-
 nus, sub prædictis omnibus & singulis pœnis, ipsi, vel eorum qui-
 libet, præfatum *Martinum*, Complices, Adhærentes, Receptantes
 & Fautores personaliter capiant, & Captos ad nostram instantiam
 retineant, & ad nos mittant, reportaturi pro tam bono opere, à
 Nobis & Sede Apostolica remunerationem præmiumque condig-
 num. *Ibid.* p. 398, 399.

and

‘ and Favourers, and to retain them till the *Pope*
 ‘ requires them, and then to send them to him,
 ‘ for which good Work he promifeth to reward
 ‘ them. And laftly, He doth excommunicate and
 ‘ anathematize all Persons, of what State, Degree,
 ‘ Condition, Pre-eminence, Dignity or Excellen-
 ‘ cy foever, who any Ways do hinder the Publi-
 ‘ cation of this *Bull* in their Dominions.

A. D. 1521. He pronounceth *Luther* an *Heretick*, Spond. To. 2. p. 338. ad A. 1521. § 1.
 and declares, that all Persons, of what Authority,
 Dignity or Condition foever, who did patronize
 or yield him any Counsel, Help or Favour, had
 incur’d the Penalties and Censures inflicted by
 the *Canons* upon *Hereticks*, and all the other Pu-
 nishments contained in his former *Decree*. And
 he commands, that they should every where be
 denounced excommunicate, anathematized, accur-
 sed, interdicted, deprived of all Honour, Goods
 and Dignity, and that they and their Posterity
 should be incapable of them for the future, and
 should by all Men be avoided.

A. D. 1522. *Hadrian* the Sixth excites the *Princes* p. 348. § 13.
 of *Germany* to extirpate the *Heresy* of *Luther*, and
 writes Letters both to the *Secular* and *Ecclesiastical*
Princes, to this effect, and particularly to *Frede-
 rick*, Duke of *Saxony*, in whose Dominions *Luther*
 dwelt, admonishing him to consider how he could
 answer at the *Tribunal* of *Christ* for cherishing a
 Madman, and a Subverter of the Doctrine of
 the *Church*. And * ‘ denouncing to him in the
 ‘ Name of the Omnipotent God, and the Lord

* Hoc tibi denunciamus in virtute Omnipotentis Dei & Domini nostri *Jesu Christi*, cujus in terris Vicarius sumus, nec te in præfenti sæculo laturum impune, & in futuro æterni te ignis expectare incendium. — quare revertimini ad Cor, & resipiscete, Tu, tuique miserè seducti *Saxones*, nisi utrumque gladium, Apostolicum simul & Cæsareum, olim velitis experiri. *Bull. Adrian. Sexti, apud Bin. To. 9. pag. 180.*

‘ *Jesus Christ*, that if he did not return to a
 ‘ sound Mind, he should hereafter be condemn-
 ‘ ed to Hell-Fire, and should not go unpunished
 ‘ in this present World, but suffer by the Sword
 ‘ of *Cæsar* and the *Apostles See*.’ And to that end
 this *Pope* writes Letters to the *Electors* and other
Princes of Germany, and sends an Instruction to
Cheregata, his *Legate*, how to proceed in this
 Matter.

p. 375.
 § 24.

A. D. 1525. *Clement* the Seventh exhorts the
Senate of Paris to punish the *Lutheran Heresy*
 sprung up amongst them, professing that he him-
 self will spare no Diligence or Industry in that
 Cause.

p. 704.
 § 25.

A. D. 1568. *Maximilian* grants to the Nobili-
 ty of *Austria*, the free Exercise of *Augustan Con-*
fession in their Towns, Castles and Villages, which
 when *Pius* the Fifth hears of, he presently sends
 to him the *Cardinal of Commendonum* to hinder it,
 or if he could not hinder it, to declare by the
Apostolical Authority, that the *Pope* would inflict
 upon him, if he did not suddenly rescind that
Decree, all the *Ecclesiastical Penalties* and *Execa-*
tions, and would deprive him of his *Dominions*,
 and take care that another should be chosen *Em-*
peror.

p. 822.
 § 17.

A. D. 1585. *Sixtus* the Fifth exhorts the *King*
 of *France*, that, being mindful of his Oath which
 he had taken at his *Coronation*, *De omnibus Hære-*
sum atque Sectarum Seminibus extirpandis, to extir-
 pate all the Seeds of *Heresy* and *Schism*, he would
 effectually perform it.



F I N I S.

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